

LUDGEMAN

How Much Longer Can He Get Away With It?



**FOUR MEN JAILED,
LIVOR SEIZED IN**

father had died. Strangely enough, the same two brothers who had opened the original hardware store, the McCormicks, were put on the next day between the gallows and the seat, day after day, until the trial was over. Two weeks later Tom Purcell, dropped dead, his death ascribed by quantity of alum.

FOUR MEN JAILED, LIQUOR SEIZED IN THREE DRY RAID

A black and white portrait of Edward G. Robinson. He is an older man with dark hair and a prominent mustache. He is dressed in a dark suit jacket over a light-colored shirt and a dark tie. He is looking towards the left of the frame with a serious expression. The background is dark and out of focus.

They had been in jail ever since they
killed two detainees, Beaufort and Fane,
done for them.

The three Germans who had occupied
Hymie White's bar carry culture
were naturally helping Gossman in
his effort to do something for Jewish
prisoned killers. They were taking
up a collection.

For some you'll be up to church and
noticed the members taking up a col-
lection. The German brothers didn't
collect in quite that way. Belling up
to old business men, they used a
little terror—and may I say that many
of them are very good people—
Tullus saw the terror of those who
Thomé appreciated paid off at
Marty Republic, a brother-in-law of Beaufort.

One of the Germans had been shooting
out to every Italian racketeer in conni-
ction for two years. He received as com-
munity funds for An-
tonio and Bosca. His deal with his
books on. Augustine and Antonito
Mariceli, wealthy and respectable, died
with their books on.

The money came rolling in.

Strange Deaths Follow

Jack McCarron's Return

And both of the collectors went roll-
ing into the gutter. Machine gun Jack
McCarron had come back to Chicago.
McCarron, known all over the
Greater Chicago area as That
Italian duffer of Chicago, died recently where McCarron
had been living for

NAME KING, QUEEN SATURDAY

FLOOD OF VOTES

LAKES SHIFT IN RANKS POSSIBLY

THE BOSTONIAN

Make a Comic Face and Win a Cash Prize

Read the DAILY TIMES publication "Drawing" in the MURPHY PIC-
TURES, and Readers who play the game are invited to mark the drawing
with colored pencil, crayon or ink, in colored. The object is to see who can
make the funniest
and prettiest
comic face.

NEW LOW PRICE!

AT 10 MONEY-SAVING
ATLAS RADIO STORES

2 DAY Sale

FRIDAY AND SATURDAY ONLY.

SUPERHETEROODYNE



Again we present a movie star. Below him are some crayons or ink. Use colored crayons with pencil.

*This drawing
is for use in
the sale,
use, return,
and return
allowance.*

193

This block contains a decorative horizontal border at the bottom of the page. The border consists of a repeating pattern of stylized, symmetrical motifs that resemble stylized leaves or perhaps a form of ancient script. The design is rendered in a dark, textured ink style against a lighter background.

*tic
ios*

This image shows a dark, horizontal strip of material, likely a book's spine or a piece of wood, exhibiting significant signs of age and wear. The surface is textured and shows various shades of brown and black, indicating discoloration and possibly insect damage. There is no text or other markings visible on this strip.

CARONE PUBLIC ENEMY NO. 1

How Much Longer Can He Get Away With It?

Monroe. One Jack McCarr related Mr. Doherty's story. He said he was never shot in a very great hurry, but when he was collecting rent or for the police, he was always shot dead.

The recently released called Jack McGurn is an American born man of Italian descent on Chicago's West side and his name is

The only one present who hadn't checked his Arsenal when the clock struck noon, was the story goes, outside man in each hand and mace in three on their backs.

Opposite, it is said, were about three hundred natives, bearing no head nor tail and scimitars and wild, savage-looking women.

He went to work with the baseball bat.

When he was through, some unknown

In his course of these Modjeska hearings Captain Capponi's best. Let me stop my astronomical narrative of this series long enough to tell you a story of his loyalty to Capponi. McClellan, Belknap, Amesell and Joe Glazier—were all there in full bell and piece at the St. Valentine's day murder. It was suspected that McClellan had operated the machine gun that mowed down seven Buoye ladies passengers. It was believed the others had operated it with it also. They all made out magnificently.

The first course of these Modjeska hearings was officially over, and the bodies of Belknap, Amesell and Glazier were taken in fast automobiles and dumped onto the soil of Indiana just over the Illinois line. At any rate, they were found there.

You always hear, when gentlemen are taken back to ridges that their bodies have been found just outside Cook county. There's a reason for that. Some one stumble over a pile of bodies somewhere outside the county. The local sheriff is annoyed. "There



For, usually, nobody makes any real investigation, and the murderers live on until some other murderer makes the right connection.

And if, perchance, and where, some investigation is or should be made, there is always the question of whom to be believed—this legal quibble being as to whether the alleged murderer must be tried, and when, whom, and for what reason.

There won't, then, you may gather, much chance for me to get away.

KIRKLAND GRID RIVAL FACES TRIAL FOR ATTACK ON GIRL

Machines Gun Jack McCullum

...so, usually, nobody makes any
attempt at punishment, and the murderers
are not sent to prison, until some other murderer
has been convicted. Right connection.

for freedom at Valentine, ^{on Feb. 1} friend and former football opponent was awaiting action by the county court jury on charges he made another shot attacked two Eukanan girls.

He is Charles Simpson, 30, Hill Grove Rd., Evanston, who boasts of intimate friendship with Virgil and declares he played against the Gary high school after many times. Held with Simpson is Warren Thompson, 30, 115 Ridge Ave., Evanston.

The four both members of well-to-do Evanston families, were bound over to the grand jury under bonds of \$10,000 after two young girls told Police Major Jerome Poirier of being taken for auto rides which ended with scenes不堪的. Both men are bound for a roadhouse to drink beer when it closed and asked if they could drive her home.

"Yes, if you take me straight home," she said she told them. They went north through Niles Center; however, Simpson got out of the car, she adds, and Thompson beat and choked her. When Thompson returned both remained her, she said. They then drove her back to the city, took away all of her money except \$10 cents and put her out of their car.

The older girl was Ruth Braemer, 16, in maid at 1110 Chicago Ave., Evanston.

On Feb. 1, she and friend with the pair for a ride. "They took her there," she said. "I don't know what happened to her."



John Bratton (left) and Albert Aschenbrenner, two of the three men whom A. Capone trusted at Miami. Later they were lined up against the wall for torture deaths.

PAROCHIAL SCHOOL PUPILS WIN BEE

DAILY TIMES, CHICAGO, SATURDAY, FEBRUARY 24, 1931

28 Students Spell for More Than Hour in DAILY TIMES Contest

CONTEST IN 28TH BEE



PAROCHIAL schools walked away with the honors in the 28th annual DAILY TIMES Radio Spelling Bee. The contest was held last night, with 28 minutes of the event broadcast from the WGN Air Theater and DAILY TIMES station, from 8 to 9:30 p.m.

BUREAU. Kishenwalt, 11, of 1600 Berwyn Ave., from Our Lady of Victory school, and Vincent Verdun, 16, of Peab Street, Providence, Rhode Island, were the two winners. They will compete in the annual national competition, scheduled for March 31.

The contest was another hot almost tie affair. Bobby Brown, the "radio新秀," would not be denied. After 1 hour and 10 minutes the two winners stood alone. This group of spellers who faced the microphone was one of the best heard thus far.

The next preliminary event, No. 22, will be treated to 45 minutes of the broadcast beginning at 1:30 o'clock. Both schools will be represented to-night by the 10 pupils scheduled to

represent their schools in the final round.

Here are contestants in latest DAILY TIMES spelling bee. (DAILY TIMES Photo)

MAKE A FUNNY PICTURE GAME

EACH DAY THE DAILY TIMES publishes a drawing in the FUNNY PIC

TURE game. Readers who play the game are invited to mark the drawing with black pencil, crayon or ink (no colors). The object is to see who can make the funniest picture.

Send your drawing with your full name and address to the FUNNY PIC.

DAILY TIMES.

DIME FARE FIGHT IN HIGHEST COURT STIRS RIDERS' HOPES

Chicago transportation men affected by fare of recovering on Chicago Rapid Transit Co. fare contest today when the Supreme Court at Washington, D. C., was asked to review the decision of the United States District Court at Chicago upholding a 10-cent fare on the elevated lines.

The issuance of a permanent injunction restraining the city and the Illinois Public Utilities Commission from interfering with the imposition of the 10-cent fare. Previously, for many months under a temporary injunction issued by the District Court, a court refund coupon with each passenger's fare was required to give a 10-cent refund coupon with each passenger's fare. As costs to be repaid in the event the injunction ended adversely to the company, three tickets for 10 cents, it demanded an increase on the ground that it was entitled to a return of 14 per cent on its \$15,000,000 investment.

The Federal court claimed jurisdiction under the 10th amendment to the United States constitution, which provides without previous or notice, without the presence of her. The state, which has appealed to the Supreme Court, charged the valuation placed on the properties by the Illinois Public Utilities Commission is excessive and that the increase in fare was in direct violation of a contract between the lines and the city.



Says M. E. SPILLER, editor of the DAILY TIMES' mail department:

"A newspaper belongs to its readers, quite a bit by the way, response to its readers and departments."

"The popularity of this newspaper is certainly growing rapidly and steadily."

"Each month we are increasing over this material helping in increasing readership. That increase isn't gained by any one feature. It is a general pickup for all departments."

"More people are answering our contests. More letters are

SUED FOR DIVORCE; UNTRUE, SAYS WIFE

C. C. BROSIUS, LAWYER, of 111 W. Monroe St., who made for divorce in the Circuit court by his wife, Irene, 21, of 1816 S. Ashby

offices at 111 W. Monroe St., who made for divorce in the Circuit court by his wife, Irene, 21, of 1816 S. Ashby

For the Times

10c

Wednesday

Feb. 1, 1937.

Broadway

Shorty

after her mar-

riage,

Mrs. Brewster

changed her last

name,

which was

then

her

husband's

name,

which was

then

her

WELFARE VETERANS SWAMP BUREAU

BONU
LOAN ENDS LONG GIVE TO VETS
DIVORCE OF FOR VETS HERO MEDAL

DIVORCE



Type of Hubby

Suicide Notes; Wins Divorce

Charges Hubby Hacked Clothes to Foil Trip

"I have no right to sue him," said Mrs. Mary E. Hayes, widow of the man she charged with hacking clothes to foil her trip to the beach.

Mrs. Hayes, 39, of Los Angeles, March 1 (UPI)—Mrs. Michael L. Hayes thought it would be safe to go to the beach. Her husband, however, had other ideas. He took his clothes off and hid them under a chair. Then he took a sharp knife and cut them up. With some difficulty, Mrs. Hayes managed to get away from him. But he followed her, shouting, "Get back here." She ran home and begged her husband to let her go. Then he pulled her out of the car and started driving with her. Mrs. Hayes, 39, is another who is the victim of her husband's jealousy. She is a widow.

UPON THE
WATER

MEMBERS
NOW

777 MEMBERS

MAN AEMP CAR VICTIM

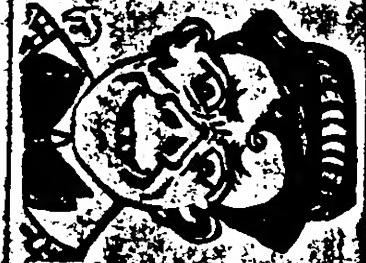
DRIVING FROM HURTS
EVANSTON
TAKEN HOME
Friends

He Left Home

He

Left

ANTI-PEERLESS GIFT
RECEIVED BY YALE



SYRUP PEPSIN

PEOPLES
DENTIST

125 S. State St.

PHILADELPHIA

PENNSYLVANIA

U.S.A.

1898

1898

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PRO MOTHER OF TWO
LIVING UNCONSCIOUS
IN SOUTH SIDE STREET

PRO MOTHER OF TWO
LIVING UNCONSCIOUS
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IN SOUTH SIDE STREET

U. S. Department of Justice
Bureau of Investigation
Washington, D. C.



WIC:AM

May 6, 1931.

MAY-6153121

MEMORANDUM FOR THE DIRECTOR.

Reference is made to the article appearing in the June, 1931, issue of the "Real Detective" magazine entitled "Al Capone is Dead!" written by Bruce Pope, a Chicago newspaper man.

The writer reviewed files #69-180, 32-15941, 41-84, 62-20619, 62-20034, 26-18103, and 62-23346 (Interesting Case #154) relative to subject AL CAPONE, and did not find any information in these files which would in any way substantiate the statements made in the "Real Detective" magazine that the real Al Capone is now dead.

Respectfully,

H. I. Conway
H. I. Conway.

69-180

69-180-62

MAY 14 1931

✓

JUL 13 1972

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XEROXED ORIGINAL-REMAILED

94

...and the government's case against Capone was based on the theory that he had been guilty of tax evasion. The evidence will show that Capone's income tax evasion was the largest evasion of 1928 and that his total income of \$1,000,000 for the years 1924 to 1928, amounted to \$1,000,000. The possible maximum sentence is 10 years in the penitentiary for the income tax evasion and a fine of \$10,000, and five years in the penitentiary and a fine of \$5,000 for the beer conspiracy.

Steps for Concurrent Sentences.

However, the highest income tax sentence of record is that received by Jack Gunk, Capone business manager, and that was five years and a day. Gunk was convicted by a jury. It was reported, in hopeful that the sentences on his income tax and beer pleas will be made to run concurrently.

At any rate, Capone will be sent away, an objective of more than two years standing on the part of Mr. Johnson, agents of the intelligence unit under A. P. Madden, the special prohibition agents, and Washington authorities of the treasury and justice departments.

President Hoover, who acclaimed the government's income tax drive here, is reported to have been insistent on pinning out Capone and his gang.

Reasons for Guilty Pleas.

Capone would not discuss his decision to plead guilty with newspaper men, nor would his attorneys, Mr. Ahern and Leopold B. Mehlack, but several reasons were ascribed for the move by federal officials. One of these is that Capone, though not broke, has experienced such financial reverses in the last year that he did not wish to dignify the expense of a "jury trial."

High bonds and high attorney's fees have already been paid by Capone and his leading lieutenants in the federal courts. It was pointed out, and the prohibition agents have been wrecking his finest breweries and stills.

Aids from the expense of a trial and probable appeal, the federal officials declared that Capone availed himself of the plea of guilty in an effort to obtain mitigation of sentence, because he feared to face a jury. The government has not lost a major prosecution since United States Attorney Johnson assumed office. His motto having been: "Every indictment a conviction."

Reported Planning Comeback.

There is a third regrettable motive for the plea of guilty. This was that Capone, though plumply young at 37, believes he may still come back into the gangster's game one day, and, furthermore, after he has served a term of few years, the depression will be over, the gangster is reported to have reformed, and then will be a setup in the present crumple of law enforcement. If he went to trial and then carried his case to the Supreme Court, he might be sent away just when times begin to pick up, is the way his reasoning is reported to have run.

When Capone goes away to Leavenworth, which is expected to be soon after he is sentenced on June 20, it will be his second experience in imprisonment. Two years ago he served nine months with his bodyguard, Frank Rie, in Philadelphia jail for gun toting.

Capone will find in Leavenworth the former chanceller of his underworld, Frank Nitti, who went down in January to serve an eighteen month term for tax evasion. He will also find Sam Giancana, his Philadelphia bodyguard, and Al Capone's other bodyguards.

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TONY (MOE) VOLPE.

Federal Judge James H. Wilkerson yesterday issued his formal order denying the writ of habeas corpus asked by Toney (Moe) Volpe, Capone gangster, who had been ordered deported by the Department of Labor for entering the country without inspection by making false and misleading statements. In making the order the Judge reduced Volpe's bond from \$6,000 to \$6,000 and granted him a stay of 60 days to appeal to the United States Circuit court of Appeals. The Judge denied the writ last Friday.

LADY ASTOR GLAD THERE'S NO OTHER WOMAN LIKE HER

LONDON, June 16.—(AP)—In opening a club for small children in East London tonight, Lady Astor declared that people differ too much individually ever to be equal and added that she was often thankful that there was not another woman like her.

"I know that when I first got into parliament most people hoped that I would be the first and last woman to get there, but my getting there was simply a sign of progress," she said.

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PATRON OF THE GANG

KING OF SUPER CRIMES

Al Capone, who, says the government, finally found a way to turn him toward prison, the personification of the gangland era that arose with the attempt to realize the possibilities of law. His appearance departs from the sense of his triumphs to day behind the bars is regarded by some observers of American life as the passing of that era of the super-gangster.

Capone was born in Brooklyn about 24 years ago, at Neapolitan stock. His formal education included the passing of the fourth grade in grammar school. Thereafter his learning was of a practical nature. Before the war he ran with the notorious Five Points gang in Brooklyn. He served during the war as a soldier of the United States and was honorably discharged.

Capone Comes to Chicago.

In 1919 Capone, a youth of 23, came to Chicago to "serve as bodyguard for Big Jim Colosimo, a sometime street swatter who came to power and wealth through political alliances and prohibition law violations. Colosimo died by a murderer's bullet and John Torrio, who succeeded him as the first gangster of Chicago, took over the young bodyguard. Capone was then a minor figure, the son of a group of bad men subject to orders from superiors.

As late as 1921 Capone was only a henchman of Joseph Fiume, to whom Torrio, interested in the lucrative business of speakeasy vice resorts, turned over the best concessions in the city. In this capacity Capone was sent out to buy the trucks that Fiume needed.

The Fiume organization at one time had fifty trucks and was merchandising a thousand barrels of beer daily—at least their breweries turned out that much. Capone, somehow, grew with the business.

No Taxes, Torrio's Throne.

Torrio, shot after the killing of the picturesque Dutch O'Banion among his cronies in the social club opposite the Holy Name cathedral, gave up his stake and passed back to Brooklyn, to Italy—desperately after money. There he spent all night, and then suddenly disappeared and became a fugitive. There, also, organized and unorganized, all Capone organized.

When Torrio, who organized and unorganized, all Capone organized,

He then began to expand.

He transformed small rustic villages into big and loose centers. He began to buy houses.

"We don't want any trouble," Torrio, one story that in the little towns where he placed his

resorts he paid off mortgages, bought new furnaces or repaired leaky roofs for those whom he wanted to be "good neighbors." He persuaded some

of the villagers to permit barbers and boot fairs in the gulf of roadhouses before the Prohibition legislation which he was about to pass.

Murders Follow His Rule.

He proclaimed himself that he was only a business man; that he was giving the people what they wanted for their money. Murders occurred. His enemies died by the machine gun and the pistol.

It has been only a coincidence that Angelo Genna and Carmine Amato, who inspired so leadership in Michigan, have died.

It has been only a coincidence that

the Chicago underworld, which

had been so powerful, has been

overrun by the underworld of New

York, which is now the underworld of

the United States.

The Tribune owner, publisher

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CHICAGO DAILY TRIBUNE
JUNE 15, 1931.

Capone in Trap, Ponders Guilty Plea

AND CHICAGO IS ABOUT TO LOSE ITS BAD REPUTATION

WIFE INDICTED

SING CHIEF MAY

GIVE UP BATTLE

Calls on Lawyers to

Advise Him.

(Illustrated page)

Al Capone's fate hangs in the balance between yesterday. It was reported that he was considering paying off his debt to society without a trial—the plan of guilty were being prepared by the gang leader and his attorneys as both the Federal Indictments that have been returned against him in the last few days.



JOHN EDGAR HOOVER
DIRECTOR

U. S. Department of Justice
Bureau of Investigation
Washington, D. C.

LCS:JGM

STATION 12
MAY 11 1931 AM

May 8, 1931.

MEMORANDUM FOR THE DIRECTOR:

With reference to recent magazine articles regarding the fact that the present Al Capone is a half-brother of the true Al Capone, I beg to inform you that there is nothing in the files of this Division which would either substantiate or disprove these articles. The articles in question indicate that the true Al Capone was killed in the early part of May, 1929. The first fingerprints on the individual whom we know as Al Capone was received in this Division on May 18, 1929, regarding his arrest by the Police Department at Philadelphia, May 17, 1929. Later prints, of course, check with the one indicated.

Respectfully,

S. C. Shifner
Chief,
Division of Identification
and Information.

69-180

RECORDED & INDEXED

141931

69-180-63

MAY 12 1931 F

SEARCHED

FILE

974

RECEIVED

U. S. Department of Justice
Bureau of Investigation
POST OFFICE BOX 1405
CHICAGO, ILLINOIS

MAY 13 1931 PM

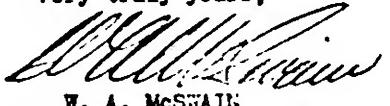
May 14th, 1931.

Director,
Bureau of Investigation
Department of Justice,
Washington, D.C.

69-180
over

Dear Sir:

There is enclosed herewith as of possible interest
a clipping taken from the Chicago Tribune of May 12th, 1931,
concerning an attempt on the part of ALPHONSE CAPONE to seize
control of the cleaning and dyeing industry in the city of
Chicago.

Very truly yours,

W. A. McSWAIN
Special Agent in Charge.

WAM:JMS

RECORDED & INDEXED

69-180-64

JUL 13 1972

ARMED ORIGINAL RETAINS

Cleaners Defy Capone Offer; War on Gangs

CHITCAT

CLEANERS DEFY CAPONE GANG

An attempt by the commandant of the camp to get away from the scene of the massacre was made by the commandant's son, who was also present. He was captured and shot. The commandant was captured and shot. The commandant's wife and two sons were captured and shot.

"I am pleased to learn that this organization has the backbone to tell us where he goes - & not be allowed to operate under the name of business,
and State Attorney Swanson.

"The cleaners and drivers asked me whether I would take them up in defying the gangster and I told them I certainly would be the limit."

Books Received for Gang.

Capsaicin efforts to take over the cleaning and dicing industry were repudiated by Assistant State Attorney Charles J. Blasier, in charge of marketeer prosecution, as an indication of the resources offered by the gang in certain enterprises.

"There is no question that Capone's mob has been hard hit, and that he needs money," said Prosecutor Studer. "His gambling racket has felt the force of raids by the police and the state attorney's office. In connection with the old grand jury and some of the latest break-ins he has been raided by the federal agents. The pressure of all the big guns in the gun in the federal government, and the men I think he probably have no doubt caused Capone to look around for some way of raising

Caprice "But on Board"

On the 1st of January, 1900, the
new year was ushered in at the
Hotel Royal, New York, by the
inauguration of the new
Managing Director, Mr. J. C. Ladd,
having come from the office of the
Hotel Plaza, New York, to the
Hotel Royal, New York, on the 1st of the

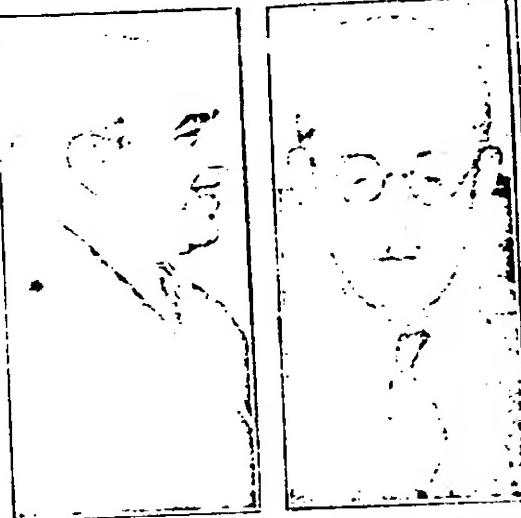
1. About a month ago came in
2. a doctor who claims to represent
3. some disaffected members of our
4. organization, and the Source
5. They said he would be a source for
6. 10 per cent of our annual receipts
7. from members. In reality, there
8. has been no such up-tick in the
9. membership and dues rate of any real
10. current cleaner was needed to be
11. retained in our line.

Семьи и ее Генеалогия

"Then at Capone's invitation, a committee was sent to him at the Lexington hotel, where he repeated his offer. Capone said that if we didn't accept his offer, he would take over the industry anyway. He had come down in the price to 50 percent of our annual income. The committee told him that we were running a legitimate business and that no criminal organizations would be interested."

Long Field for Kachetians
But there the clearing and development has been done up to a large extent by the Kachetians. There were more or less scattered villages and these have now been gathered in the process of time. Thus the Kachetians have got the greater part of the land which they have cleared themselves, and the other partners have got very little. They have got the land for a reported compensation of 500/- per acre. The Kachetians and their dependents are "protectors" of the slaves.

1996-09-09 1. update. 2



Al Capone, who is said to have offered to "protect prices" and "police" the cleaning and dyeing industry. The offer was rejected. Dr. Benjamin M. Squires, chairman of the Cleaners and Dyers Association of Chicago, who revealed efforts of Al Capone to seize control of industry.

CLEANERS DEFY CAPONE; WILL WAR ON GANGS

*Spurn Proposal of the
Hoodlum Chief.*

~~Enclosed Team Sheet Page 1~~

prices for clothing or for living means found in Chicago have to be high as \$10.00 for women's clothes. When the General and Federal forces are called to protect the citizens of various towns, the cost of living goes up.

81-25. *Winter home in U.S.A.*

Wanted Range in Events.
Concerning the range of events, it was decided that the first section of the program should be concerned with the present situation expressed the opinion that the situation was to become more or less serious in the next few months. The second section of the program should be concerned with the development of the situation in the future, may possibly reflect the opinion that the present situation is one of attempted extirpation, but the leaders and disseminate well those that relate to the cause and all other effects.

Books Illustrations of Birds.

"The declining and dying industry has been attempting to rid itself of shareholders, and take over and conduct its business on its own and independent basis."

the best men in America and we'll make
a good record. Mr. Bellamy: "The mem-
bers of the Shakers and I were very
glad to meet you at the prison, and to have
you stay with us the portion of time, as

He has been appointed to the church in 1910, and is ready to lead us in the services at eight o'clock in the morning. It has been decided that services will be held at the church.

19-180-64

THIS CASE ORIGINATED AT

Jacksonville, Fla.

Jax File #69-9

REPORT MADE AT:	DATE WHEN MADE:	PERIOD FOR WHICH MADE:	REPORT MADE BY:
Jacksonville, Fla.	May 20, 1931	May 18, 1931	Louis De Nette

ATTORNEY CAPONE,
KENNETH PHILLIPS, M. D.

SYNOPSIS OF FACTS

United States Attorney Hughes, Jacksonville, wrote the Attorney General May 18, 1931 containing instructions with regard to further procedure in captioned matter.

DETAILS: AT JACKSONVILLE, FLORIDA.

MAY 21 1931

With reference to the captioned case, in which subject Capone was found guilty of contempt at Chicago and sentenced to six months in jail, United States Attorney W. P. Hughes advised Agent that on May 18, 1931 he addressed a letter to the Attorney General requesting instructions as to what, if any, further action should be taken in the Jacksonville district. He stated he will advise the Jacksonville Bureau office upon receipt of a reply.

INITIALING

-----00000-----

DETAILS

DO NOT WRITE IN THESE SPACES

APPROVED AND
FORWARDED:

Louis De Nette

SPECIAL AGENT
IN CHARGE

RECORDED AND INDEXED

MAY 22 1931

COPIES OF THIS REPORT FURNISHED TO:
3 Bureau
2 Chicago
1 U. S. Atty. Jacksonville, Fla.
2 Jacksonville
ML

BUREAU OF INVESTIGATION

CHECKED ON

MAY 25 1931

MAY 22 1931 A

DEPARTMENT OF JUSTICE

ROUTED TO:

DIST. ATT.

FILE
D.A.T.

100

JOHN EDGAR HOOVER
DIRECTOR

HM:DSS

U. S. Department of Justice
Bureau of Investigation
Washington, D. C.

June 11, 1931.

RECEIVED



JUN 12 1931 AM

MEMORANDUM FOR THE DIRECTOR.

Mr. Sullivan, of the Scripps Howard newspapers -
desired information as to the Bureau's activities relative to
al Capone. Referred him to Mr. Dodge.

Very truly yours,

H. Nathan

b9 - 180
325 33

RECORDED & INDEXED

JUN 13 1931

69-180-66

BUREAU OF INVESTIGATION	
JUN 12 1931 F. W.	
REC'D	FILE



U. S. Department of Justice

Bureau of Investigation

JUN 18 1931 PM

POST OFFICE BOX 1405,
CHICAGO, ILLINOIS.

June 16, 1931.

Director,
Bureau of Investigation,
Department of Justice,
Washington, D. C.

Dear Sir:

There is attached hereto a clipping taken from the
X Chicago Daily Tribune under date of June 15, 1931, relative
to Al Capone.

Very truly yours,

W. A. McSWAIN
Special Agent in Charge

REVIEWED & INDEXED

69-180-67

BUREAU OF INVESTIGATION

JUN 18	931 A. M.
FBI - MEMPHIS	
JUSTICE	
T	
FILE	

3

ENCLOSURE 18-188-67

Capone in Trap, Ponders Guilty Plea

WIFE INDICTED

SING CHIEF MAY

GIVE UP BATTLE

Calls on Lawyer to

Advise Him.

AND CHICAGO IS ABOUT TO LOSE ITS BAD REPUTATION

ALREADY OPPONE
KING OF THE
KING GANGSTERS

* KING ALPHONSE
YOU ARE ADVISED
TO LOSE
YOUR THRONE

SCEPTER

(Illustration by H. L. T. Johnson)
Capone's wife was in the hands
of Chicago's Federal authorities. It was re-
ported that he was considering pay-
ing off his debt to society without a
trial—that plan of guilty were being
prepared by the grand leader and his
attorneys on both the federal indica-
tions that have been returned against
him in the last few days.

One indictment charges Capone with
the evasion of \$15,000 in income taxes
and the other charges him and other
big men with a ten year bear conser-
vancy in which they are alleged to have
taken in gross receipts of \$200,000,000.

The reports were that Capone was
driving his lawyers some good reasons
for entering pleas of guilty, and that,
on the other hand, the lawyers and
men of Capone's will were plotting
out perhaps dangerous plans that would

CHICAGO

U.S. DISTRICT
ATTORNEY
JOHNSON

LCS:HEW
Bureau File
69-180-60

March 11, 1931

Special Agent in Charge,
Bureau of Investigation,
Box 1405,
Chicago, Illinois.

69014

Dear Sir:

Referring to fingerprint on Alphonse Capone, received ~~March 10, 1931~~, please be advised that an examination of the records of the National Division of Identification and Information fails to disclose any data concerning this individual in addition to that already supplied in Bureau letter dated ~~March 10, 1931~~, copy attached for your information.

Your print mentioned shows the following:

Subject as Alphonse Capone, inquiry made by Bureau Office, Chicago, Ill., March 9, 1931.

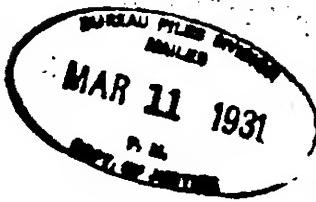
RECORDED

Very truly yours
FEDERAL BUREAU OF INVESTIGATION

MAR 12 1931

105

Director,



X22
No. 610884

Knol.

CAPONE KILLED TWO YEARS AGO, SAYS MAGAZINE

Gang Leader Willing to Let Story Stand, But Terms It Just Plain "Applesauce"

By FREDERICK C. OTHMAN

CHICAGO, May 1 (U.P.)—“I ain’t dead, but it’s all right for ‘em to think so if they want to.” So said “Scarface Al” Capone today.

ORIGINAL DEAD

But J. M. Lansinger, publisher of the Ral Detective Magazine, insisted:

“The original ‘Scarface Al’ Capone is dead. It gives me great pleasure to explode the halo surrounding the bogus Capone.”

Which indicates that there is a certain difference of opinion concerning the status of America’s most notorious criminal, the fat, pudgy ruler of Chicago’s vice, liquor and gambling syndicates, the scarred-face criminal who became a multimillionaire through his nefarious operations.

Strange stories have seeped up from the underworld of late about Capone. Speculation has become ripe over his affiliation, over whether he is the supreme boss of the underworld, or whether he takes his orders from a ring of high-ups.

BROTHER IN SHOES

Mr. Lansinger climaxes the rumors and a stool pigeon whispers with an air of finality that Capone was killed two years ago, that his half brother, Giacomo Calabrese, submitted to a plastic operation to obtain a synthetic scar on his left cheek and that the latter now rules the criminal syndicates under the almost mythical name —“Capone.”

Mr. Lansinger said his facts were authenticated and documented and that he would prove to an incredulous police department soon that his story is correct.

The scowling Capone, or maybe it was Calabrese, when reached by the United Press, said:

“Do I look like Calabrese? Duh, that’s a lot of applesauce.”

Veteran police reporters said that the Capone of today, as far as they could tell, was the same Capone of a decade ago. Pat Roche, chief investigator for the State’s attorney, said:

“If you think Al Capone’s dead, you’re crazy.”

INFLUENCE ON WANE

And that leads up to the fact that Capone’s influence apparently is beginning to die, now that Chicago’s new mayor, Anton J. Cermak, has started his campaign to “run the gangsters out of Chicago.”

The Capone gangsters are laying low. Capone speak-easies are closing with increasing frequency and Capone breweries are running with less bawd in the vats than at any time since the advent of prohibition.

23 Indicted After Raid On 2 Capone Breweries

CHICAGO, May 1 (I.N.S.)—Bert Delaney, alleged chief of the Al Capone brewery division; Steve Svobda, his first assistant, and 21 other reputed employees of Capone breweries, were named in indictments returned today by the Federal Grand Jury. The indictments charge violation of the Federal prohibition act, following raids on two breweries, one of them among the largest beer manufacturing plant ever to operate in Chicago.

INDEXED

69-180-60X

69-180-60X

JUL 19 1972

SEARCHED ORIGINAL RETAIN

40246

P. O. Box 32,
Jacksonville, Florida.
March 7, 1931.

RECEIVED

John N. P. English,
United States Attorney,
Tampa, Florida.

Dear Sir:

Alfonso Capone, alias
Monster Brilliante, M. D.,
Conspiracy of Tamper; Perjury.

Enclosed is copy of report by Louis F. T. Mallon
at Chicago, Ill., for March 5, 1931, under above caption,
showing that subject Capone was sentenced on March 2, 1931
to serve six months in the Cook County jail for tampering with
court.

I would appreciate it if you will advise me whether or
not you contemplate taking any further steps in the perjury
matter against both subjects, as otherwise I would like to
close our file in this case.

Very truly yours,

Louis De Matteo,
Special Agent in Charge.

De Matteo
as Director
Jax #40246

bq - 180

MAR 10 1931

805

Bureau of Investigation

From: Division Six

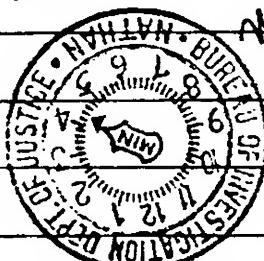
5/4 1931

To: Director
 Mr. Nathan
 Mr. Tolson
 Miss Gandy
 Chief, Div. 2
 Chief, Div. 3
 Chief, Div. 4
 Chief, Div. 5
 Chief, Div. 7
 Chief, Div. 8
 Mr. *Hughes*
 Chief, Div. 9

*(Re my talk
with Mr. Schenck)*

Dog

1931
May 4 1931 PM
Received by
W.W.
5/5/31
W.I.C.



Bureau of Investigation

Room 316.

5-4 1931.

- To: Director.
 Ass't. Director Nathan.
 Miss Gandy.
 Miss O'Brien.
 Chief, Div. 2.
 Chief, Div. 3.
 Chief, Div. 4.
 Chief, Div. 5.
X Chief, Div. 6.
 Chief, Div. 7.
 Chief, Div. 8.
 Chief, Div. 9.
 Supervisor, Steno. Pool.
 Inspector
 Miss Sheaffer.

Please call me

Clyde A. Tolson.

1P

OFFICE OF DIRECTOR, BUREAU OF INVESTIGATION

TO

... OFFICIAL INDICATED BELOW BY CHECK MARK

Assistant Director Nathan ()

Assistant Director Tolson (X)

Inspector ()

Division Two ()

Division Three ()

Division Four ()

Division Five ()

Division Six ()

Division Seven ()

Division Eight ()

Division Nine ()

Division Ten ()

Secretary ()

Please see me.

5/2/51

111

the public
of justice.
The other
is that he
has been with a ten year law enforcement
agency in which they are alleged to have
taken in great amounts of information.
The reports were that Capone will
giving his lawyers some good pleasure
for entering pleas of guilty, and that
on the other hand, the lawyers and
some of Capone's allies were pointing
out certain dangers attendant on such
pleas.

Johnson Declines Comment.

District Attorney George M. Johnson, under whose direction the investigation of Capone was conducted, refused yesterday to discuss any possible compromise by the government.

Whatever Capone's decision, it will

have to be made by tomorrow when

he is to be arraigned before Federal

Judge James H. Wilkerson on both

indictments.

If Capone decides to face juries and
is convicted on both the prohibition
and income tax indictments, which
the prosecutor regard as likely, he is
liable to a maximum penalty of thirty

four years in prison and fines totaling

\$80,000. It is reported that this

has caused the gangster to consider

suicide.

Concurrent Terms Probable.

On the other hand, lawyers are
agreed that the government cannot
hope for such a sentence and that
the prison terms on the various counts
will in all probability be made to
run concurrently. As one govern-

ment lawyer pointed out, "the charges
against Capone involve only the tax
laws and prohibition. He is not
guilty of murder as no doubt he

is reported that it is Capone's
desire to plead guilty with the under-
standing that he is to serve a prison
sentence though not too long a one.
A term of less than five years is his
hope, it is said.

This was the punishment imposed
on Jack Guzik, one of Capone's chief
lieutenants, for income tax fraud, but
the Guzik sentence followed conviction
by a jury and Capone is said to feel
that if he pleaded guilty he could do
no worse than Guzik and might do
considerably better despite his nation-
wide bad reputation.

Three Years for Brother Ralph.

His brother, Ralph Capone, after a
trial lasting three weeks, was sen-
tenced to three years in prison for
income tax fraud. Under the various
counts with which he was charged
the sentence could have been twenty-
two years. At the time the Ralph
Capone sentence was the most severe
in the history of income tax fraud
cases. Then came the Guzik case,
lasting two weeks. Guzik faced the
possibility of an eighteen year sen-
tence. He was given five years which
still remains the record sentence for
income tax fraud throughout the
United States.

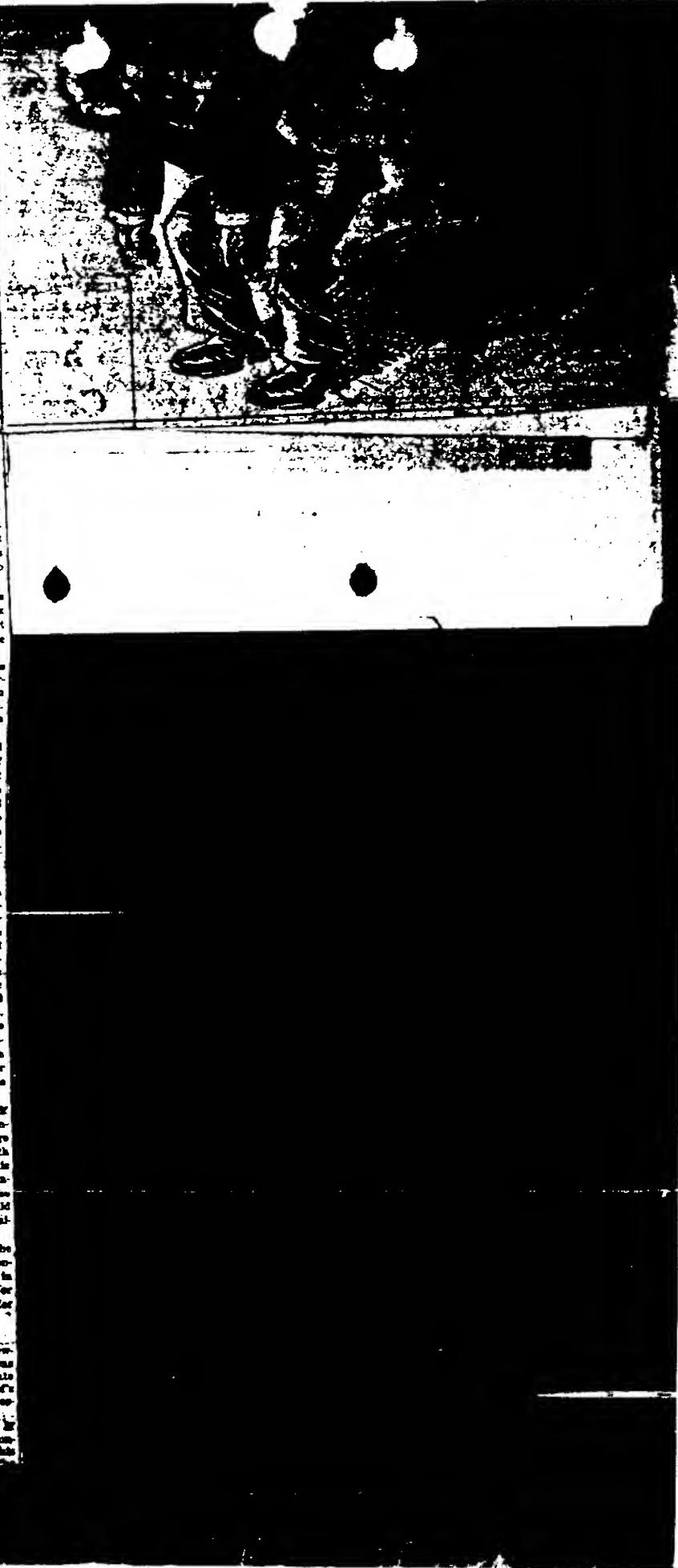
Government prosecutors say that if
Capone elects to fight and is con-
victed he can stall off his passage
through the portals of Leavenworth
prison for at least two years. It is
known that District Attorney John-
son has been hopeful throughout the
long investigation that Capone could
be gotten to prison before the Chi-
cago World's Fair of 1933.

If Capone offers to plead guilty the
district attorney's office will be con-
fronted with the question: Capone in
prison now for four or five years, or
Capone in prison two years longer for
a longer term.

Dangers in Guilty Plea.

There is danger for Capone, how-
ever, in a plea of guilty. It was
pointed out, and it was to capitalize
these points that the gang chief's
lawyers forego their golf games yes-
terday.

The problem was outlined thus: If
Capone pleads guilty to the hear-
spionage indictment, he will leave his



JUNE 15, 1931.

CAPONE, IN U. S. TOILS, PONDERS GUILTY PLEAS

Twice Indicted Gang Chief May Give Up the Fight.

(Continued from first page.)

Apparent fear of the gang chief and his advisers is that these 4 men will also reach in with pliers of guilty in no effort to save themselves and in no doing away disclose information about murders and other crimes incident to the beer business which have so far been mysteries.

Another danger in pleading guilty, according to government officials, is that if Capone starts making any admissions or his co-defendants start telling the truth about his liquor activities, the government may be able to reduce him on many specific charges under the Jones law. This law permits a five year sentence and a \$10,000 fine for each specific violation of the Volstead act.

Mardi Legal Advice Today.

One of the battery of attorneys involved in the situation said that Capone will meet with his legal advisors this morning to decide whether to follow his inclination and plead guilty or give heed to the suggestions of some of his lawyers that he has a chance to beat the income tax charge and later plead guilty to the prohibition indictment, getting off with a year or two on the latter. Capone was said to have spent yesterday in a retreat in Michigan.

It was learned that among those with whom he is consulting is the law firm of Nash and Ahern. Attorneys Thomas D. Nash and Michael J. Ahern have liberated several of Capone's men charged with murder, among them John Scalisi and Albert Anastasia, who killed two policemen in a daylight gun battle.

Attorney Ahern admitted he had received a call for aid from Capone, but said he did not know whether he would respond.

Indicates He Has Money.

The Capone, who is only 33 years old, might have plenty of money left over in his pockets after a stretch of general years in Leavenworth, was described yesterday as "a man who has been living like a prince." His personal possessions were valued at the time of his arrest at \$100,000, and he had \$10,000 in cash in his pockets.

FIND 2 MORE BODIES FROM YACHT WHICH SANK WITH 8 ABOARD

NEW YORK, June 14.—(UPI)—Two bodies washed ashore in Long Island sound were identified tonight as Leo Max Karpf, 37, an actress, and Robert Johnson, ex-entertainer, members of a yachting party of eight lost with the auxiliary boat *Sunbeam* on May 31.

The actress was identified by her father and her husband, and Johnson by Kenneth Stewart, a New York reporter.

That left only three missing in the *Sunbeam* tragedy, the names of which have never been explained. The 55 foot craft is supposed to have been blown up during a storm after it left City Island for a weekend cruise.

tax troubles. This police, the government turned down.

Also, information reached government agents here that as late as last March Capone purchased \$1,000,000 worth of Liberty bonds and that a few weeks ago he bought \$400,000 of the recent issue of \$300,000,000 of treasury bonds. It was also learned that he has established a trust fund at a New York bank for the care and education of certain of his relatives.

Second Up the Co-defendants.

While Capone was pondering what to do when he appears before Judge Wilkerson tomorrow, government agents and the city police had begun the task of rounding up his 11 co-defendants in the beer conspiracy case on bench warrants issued from the federal court.

Acting Police Commissioner Aloock has assigned a number of policemen to work with government operatives in arresting all the men named in the indictment with Capone. Aloock's detectives will participate in the questioning of every one arrested and will be ready to follow up confessions that might lead to the solutions of many murders, such as the Valentine day massacre, the machine gunning of Joe Aiello, and the slaying of Scalisi, Anastasia, and their fellow mobster, Joe Glurka.

Assistant State's Attorney Charles J. Mueller, in charge of the special grand jury investigation of the police department, said he will be on hand, ready to take proper action if any evidence is obtained of bribes paid to policemen or other officials.

Identify Girl Assassinated.

Victim Found in Bronx.

An 18-year-old girl, identified as the victim of the gang assassination of George L. Frank, was found dead in a Bronx tenement yesterday morning. Her body was discovered in the room where she had been staying with a friend, Mrs. John J. O'Farrell, 32, widow of a Bronx policeman.

Capone Alimony and His Fi and Dispute of Gang Thr

Capone's wife, the former Myrtle St. Germaine, is reported to be in Chicago, where she is said to be staying with her mother, Mrs. John C. St. Germaine. This intelligence was probably a special publication written by a copy-tapping telephone wire and made other methods. Reported, the newspaper was against Capone and the other passengers in the \$10,000,000 a year beer syndicate.

In dispersing separate themselves, said agents say, the gang syndicate have eliminated as possible supporters of Capone all those who have been hit by federal convictions or otherwise. This means, say the special agents, that former State known one, who is now up to the neck of the gang's organization.

Poor State Protection.

Four gangsters were mentioned by the federal men as being prospective. They are Lipsey, Humphries, Eddie De Grasse, Frank Rio and Teddy Newberry.

Humphries is said to be in full charge of all the large liquor business on the north side of Chicago. The agents say they learned something of his importance in the gang by listening to his voice over the trained wires when he gave his commands to his gang.

De Grasse is called the "Light Capone" of McFerren Park, where he has "the works"—alley, whisky, beer, vice and gambling. He enjoys the same authority in McFerren Park that Ralph Capone has always had according to Ciano and Barriga, according to the special agents.

Newberry rules on North Side. Newberry, former bartender of the Apollo, Jack Rife and Stopy Morris on the north side, has become a "big shot" since the taking over of that gang by the Capone forces, say the agents. When the "mugger" was placed in charge of Capone's interests on the north side, he was given the name of "Big Capone's bartender." His executive importance, the agents say, is second to none in the gang.

His influence, however, is limited by the fact that he is not a member of the gang.

Frank Rio, another member of the gang, is reported to be in the Bronx, but he is not a member of the gang.

Teddy Newberry, another member of the gang, is reported to be in the Bronx, but he is not a member of the gang.

Other members of the gang, such as Eddie De Grasse, are not mentioned by the agents as being in the Bronx.

It is believed that the gang's power is still intact, but that it is not as great as it was.

The old gang captain, Gus Capone, Sleepy Edipo, Maco, Eddie McGuire and Joe Fuccio, are out of the picture, due to either infirmities or changes in federal law restrictions, and other about to become to command.

The federal authorities do not feel the Capone gang can be as powerful as it was in the past, with examples of a syndicate taking in an estimated \$100,000 a year or more.

They are confident that Capone, under sentence of six months imprisonment for federal beer and income tax violations, will be back in the mail, with complete control of the gang.

But the agents declare that no prohibition conference there will be cooking, went brewing' an early ending, and that this will be by the remnants of the Capone gang.

H. S. Department of Justice
Bureau of Investigation

POST OFFICE BOX 1405,
CHICAGO, ILLINOIS.

June 18, 1931.

Director,
Bureau of Investigation,
Department of Justice,
Washington, D. C.

Dear Sir:

There is attached hereto as of possible interest clippings taken from the Chicago Daily Tribune, Chicago, Illinois, under date of June 17, 1931, concerning the prosecution of Al Capone for violation of the National Prohibition Act and Income Tax Laws.

Very truly yours,

W. A. McSwain
W. A. McSWAIN
Special Agent in Charge

WAM:GH

69-

RECORDED & INDEXED

69-180-68

JUN 20 1931	
U. S. DEPARTMENT OF JUSTICE	
Attn: One Dir. Bureau of Investigation	FILE

JUL 19 1972

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XEROXED ORIGINAL

CHICAGO DAILY TRIBUNE
JUNE 17, 1931.

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PENNY
PAY NO PENNY

ALL KIDS PAY PENNY

THE WORLD'S

VOLUME LXXXV.—NO. 144

C

REG. U. S. PAT. OFFICE. COPYRIGHT 1931
BY THE CHICAGO TRIBUNE.

WEDNESDAY.

CAPONE TO C

69-180-68

115

8/2
6/28

June 29, 1931.

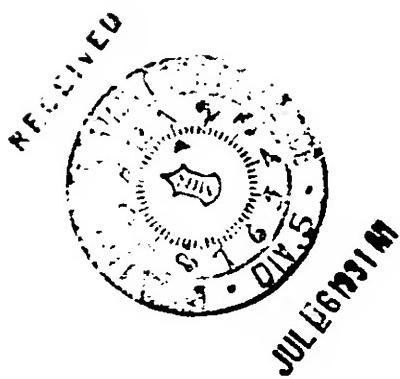
Memorandum of telephone call from Mr. Dodge.

Mr. Dodge asked if the Bureau has copies of the fingerprints of Al Capone. A local paper is desirous of getting them in order that they can check the War Department records for his War record.

Mr. Hoover said it would not be possible to give the fingerprints out to a newspaper. It would be necessary for a Police Department to ask for them.

hwg

69 - 180



SEARCHED
JUL 1 1931

69-180-69

BUREAU OF INVESTIGATION	
JUL 7 1931 A.M.	
DEPARTMENT OF JUSTICE	
Div. Five Div. Six	FILE

116 e

P. O. Box 1400,
Chicago, Ill.

Mr. E. R. Lubbers,
United States Marshal,
Chicago, Illinois.

Dear Sir:

Enclosed is attached hereto communication which
has been received from one [REDACTED]
[REDACTED], with enclosure - a sealed letter addressed
to Alphonse Capone, Chicago, Illinois.

Inasmuch as this office is conducting no inquiry
regarding Alphonse Capone, the matter is referred to you for
such action as may be deemed appropriate in the premises.

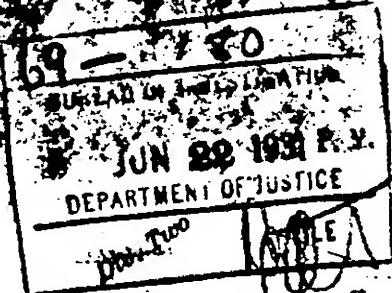
Very truly yours,

JAMES J.
DIRECTOR

E. R. Lubbers,
Special Agent in Charge

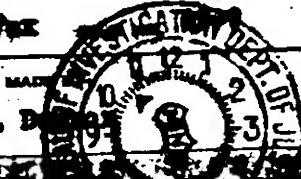


GEAT 300



RECEIVED

11
1. This originated at Jacksonville, Florida



REPORT MADE AT:

Jacksonville, Florida

DATE WHEN MADE:

July 9, 1931

PERIOD FOR WHICH MADE:

July 9, 1931

REPORT MADE BY:

B. L. D.

ALPHONSE CAPONE
ALPHONSE PHILLIPS

REASONS FOR ACTION:

The United States Attorney's Office was advised that the Attorney General instructed that no further procedure be taken in this matter at subject Capone's trial in the contempt case.

SUPERVISOR:

At Jacksonville, Florida

On this date, Miss Ruth House, Chief Clerk to the United States Attorney, advised the writer by telephone that the United States Attorney's Office had received a letter from the Attorney General with instructions that further procedure in this matter be held in abeyance pending the appeal of subject Capone from his conviction in the Contempt case at Chicago, Illinois.

PENDINE

APPROVED AND
FORWARDED

3-Bureau

2-Chicago

1-United States Attorney, Jacksonville, Florida

2-Jacksonville

H

DO NOT WRITE IN PAPER SPACES

SEARCHED AND INDEXED

69-180-70

JUL 1 1931

BUREAU OF INVESTIGATION

JUL 1 1931

DEPARTMENT OF JUSTICE

JULY 1 1931

ROUTED TO: FILE

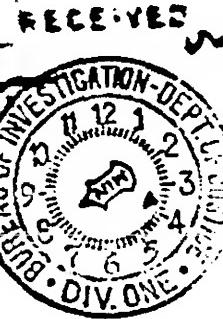
DO. FILE

118

EDGAR HOOVER
DIRECTOR

U. S. Department of Justice
Bureau of Investigation
Washington, D.C.

July 31, 1931



AUG-5 1931 AM

MEMORANDUM FOR THE DIRECTOR

With reference to the action taken concerning Dr. Kenneth Phillips who is involved in the Contempt of Court case upon Alphonse Capone, you are advised that upon instructions of the Department the case against Phillips was submitted to the United States Attorney for the Southern District of Florida on or about July 1, 1929; instructions to so submit it being forwarded to Jacksonville June 27, 1929. Subsequently the United States Attorney at Chicago requested that action against Phillips in Florida be deferred, pending the outcome of the case in Chicago. From time to time the case has been looked up until under date of February 27, 1931, the Chicago office advised that no action against Phillips was contemplated in Chicago. Under date of April 7, 1931, a memorandum from the Agent in Charge at Jacksonville, Florida, advised that the United States Attorney in Florida was communicating with the Attorney General to ascertain whether he should proceed in Florida.

In a report dated at Jacksonville, Florida, July 9, 1931, it is stated that the office of the United States Attorney advised that instructions were received from the Attorney General to the effect that this case was to be held in abeyance pending the outcome of Capone's appeal of his conviction in the contempt case in Chicago.

Respectfully, 101931

T. F. Baughman.

69-180-71
BUREAU OF INVESTIGATION

RECORDED	NATHAN	AUG 5 1931	BAUGHMAN
SEARCHED	COLESON	REC'D	FILE

Please follow this up regularly
for otherwise this doctor may escape
prosecution which he deserves.
S/4/31 J. E. A.

AUGUST 2, 1931—PART ONE.

U.S. UNABLE "TO GET" CAPONE FOR RACKETEERING CRIMES

Justice Agents Must Hit Him Indirectly for Lack of Federal Laws Unless Congress Acts.

BY REX COLLIER.

Unless Congress should enact legislation making racketeering a Federal crime, the Government's law enforcement agencies must be content to sit on the sidelines of gangdom and snipe at Al Capone and his ilk through indirect channels.

The spectacle of Capone public enemy No. 1 being brought to the bar of justice on an income tax charge of a perjury count is the source of wonderment to the man on the street. He cannot understand why the Department of Justice hasn't long ago put Capone behind the bars and kept him there. This is easy for the average person to understand until he learns that a leading law agency, the Bureau of Investigation, is failed to take the lead in exposing and putting the gangster situation.

Capone Faces Perjury Term.

Under the Constitution, the Bureau of Investigation has no authority to prosecute a criminal with a Federal offense, and its jurisdiction, in the strict underworld sense, is not a Federal offense.

Gangsters are clever. They know the limitations of Federal powers and the limitations of their own power so that they can always get away. On a recent trip up north, for instance, when Capone ran afoul of the income tax laws, he got off that of the tax evasion charge by paying over \$100,000. In view of the fact that few people in the business realize that Capone has a six-figure Federal sentence hanging over his head for contempt of court, it was convicted of mail-stealing at a trial in a criminal case in Chicago and his appeal is now pending.

Faked Illness, Says U. S.

The mail-stealing-perjury-contempt case was the first successful bit of "scripting" by the Government, and gave the Bureau of Investigation its first and so far its only chance to shadow the notorious "Scarface." The bureau played no active part in the recent income tax case, which came under the jurisdiction of another Federal agency, the Special Intelligence unit of the income tax division. Back in 1929 Capone then enjoyed life at his palatial home in Miami, received a summons on August 26, witness in a case before Judge W. Carson T. Clegg. Capone fled with his family to Canada. His previous claim that he was suffering from a heart ailment did not save him from being arrested and thrown into the federal penitentiary at Alcatraz. We'll make an investigation.

Director Hoover of the Bureau of Investigation assigned several of his men to the case. They went to Miami and returned a few days later with a shaf of affidavits picturing Capone as healthy and happy. During the period in which he was supposed to be near death from pneumonia, it was found he had attended the races frequently, had made a boat trip to Nassau with a party of friends and had flown with another group of friends to Boston.

Wilkinson Gave Sentence.

The court convicted Capone of contempt on February 27 last after a long delay occasioned by Capone's incarceration in jail for one year at Pima City on a "gun-toting" charge. Judge Wilkinson sentenced him to six months in prison on March 2. Capone appealed the case to the Circuit Court of Appeals.

Mobility was with the fugitive. It is a game of "pin the tail on Director Hoover." The racketeer has much less respect for State or local laws than he does for Federal statutes. Consequently he strives to keep from violating any law that will have Government agents down on him. His business, as a rule, is that of "shaking down" proprietors of gambling houses, the resorts, beer establishments or other "businesses" outside the pale of the law, in return for promised "protection." Or he may dominate legitimate businesses by threats of reprisal, including unfair competition and not returning them to person or property.

Capone is known his operations so discreetly that they seldom infringe on Federal laws. If he is profiting from prohibition violations he sees to it that the violations are committed by others. If white slaves is his racket, he does not transport girls himself, but merely collects for special services rendered in protecting the traffic.

McGurn, Gunner, Convicted.

Once in a while, of course, he ventures beyond the pale—and sometimes like James J. Johnson, of machine gun fame, gets caught. Hoover's agents, including McGurn, Jr., required "protection" in the St. Valentine's Day massacre in Chicago for the men who were in the Menn act. McGurn, along with his co-conspirators, was sentenced a few days ago to two years.

There was a movement in the last Congress to give Hoover's bureau au-

thority to investigate racketeering—in other words to make racketeering a Federal crime. It has been felt the Bureau of Investigation would tackle its biggest job—a war against gangdom.

There are drawbacks to the plan, however. Advocates of "State rights" are opposed to any broadening of the police powers of the Federal Government. Critics of the plan point to the difficulties into which the Government got itself by undertaking prohibition enforcement.

Gotham Outrage Blasts Move.

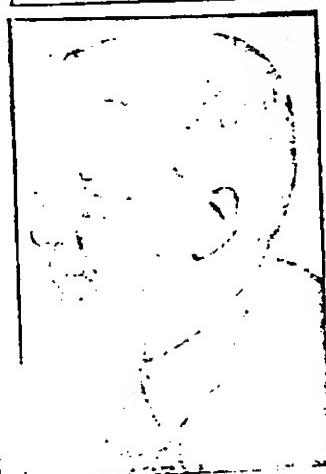
On the other hand, the rank and file of the people are not divided on the question of gangdom as they are on prohibition. Government officers undoubtedly would receive unanimous support of the public and of State and Federal officers in any war on gangsters.

The question of a Federal crusade against racketeering unquestionably will be raised in the next Congress, especially in view of the recent outrage in New York, where a child was killed and other children were injured by machine gunners cruising in a tenement district. As a result of the New York case a Nation-wide appeal was made over the radio for an "uprising" of parents, who were urged to write to their Senators and Representatives and demand "action by the Government."

The creation of Federal action is one for decision by Congress. If the legislators are willing to expand the police authority of the Government to include racketeering the Bureau of Investigation is ready to tackle Capone or anybody else.

Pleads for "Al"

LAWYER AIDS HOLDING UP OF CAPONE SENTENCE.



MICHAEL A. NUTTER

Chief defense counsel for Al "Scarface" Capone filed a complaint in the Federal Court of United States District Judge James H. Wilcoxson, Chicago, July 1, asking the court to postpone Capone's trial until the defendant's attorney, Michael A. Nutter, can be present. Nutter gave a defense to Capone's right to "due process."

-A. P. Photo.

JUL 19 1972

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U. S. Department of Justice
Bureau of Investigation
Washington, D. C.

TPB:CL

July 31, 1931

JUL 31 1931 PM

MEMORANDUM FOR THE DIRECTOR

With reference to your inquiry concerning Dr. Knight in the Alphonse Capone Contempt of Court case, you are advised that the name of Dr. Knight does not appear in the Bureau's file on Capone, however, there does appear in the file an affidavit obtained by Special Agents of the Bureau from Dr. Samuel D. Light. Dr. Light's signature on that affidavit appears to spell his name as Knight, however, the correct name is Light. The affidavit given by Dr. Light shows that he attended Capone from about January 2, 1929, to January 14, 1929, during which time Capone was suffering with pneumonia, however, on January 14, when last seen by Dr. Light, Capone's condition was improved. Dr. Light's affidavit states that he relinquished the case on January 14, 1929, inasmuch as a physician from Chicago, who was a personal friend of Capone's, was then staying at Capone's home as a guest.

The file does not indicate that Dr. Light's actions were in any way unethical or improper, and so far as the file shows, Dr. Light is a reputable physician.

Respectfully,

T. F. Baughman 69

T. F. Baughman

AUG 10 1931

69-180-72

RECORDED & INDEXED	
AUG 5 1931 A. M.	
SARAH Tolson	DEPARTMENT OF JUSTICE
FILE	

12

7/2 Mr. Light

August 8, 1931.

19013

Special Agent in Charge,
Bureau of Investigation,
Berkley Freight Building,
Washington, D. C.

Dear Sir:

Confirming the Bureau's telegraphic request of August 7, 1931, it is desired that you obtain from the Chief of the Identity Section, Adjutant General's Office, War Department, a copy of the fingerprints and all descriptive data of Alphonse Capone. Also ascertain at that office whether an individual served in the Army during the late World War under the name of Alphonse Capone or Alphonse Capone, whose fingerprint classification compares with that of Alphonse Capone (Scarface), alias Al Capone, furnished by the Chicago Bureau office as being ~~10 10 7~~ 10 10 7
5 0 11

The Bureau desires that the obtaining of this data be expedited.

Very truly yours,

Director.

RECORDED & INDEXED.

69-180-73

BUREAU OF INVESTIGATION	
AUG 10 1931 P. M.	
DEPARTMENT OF JUSTICE	
FILE	S-22

FBI - CHICAGO
SEARCHED INDEXED
SERIALIZED FILED

AUG 8 1931

200-742

09010

August 11, 1931

Special Agent in Charge,
Bureau of Investigation,
Box 1407, Chicago, Illinois.

Dear Sir:

There is transmitted herewith a photostatic copy of the fingerprints of Alphonse Capone, #6-5577, as taken at the State Penitentiary, Philadelphia, Pennsylvania, August 8, 1929. Also enclosed herewith are two copies of a letter sent by the Bureau under date of March 10, 1931, to the Chief of Police of Chicago, giving Capone's criminal record, as reflected by the files of the Bureau.

You will note by the attached copy of the Bureau's letter to the Chief of Police at Chicago that notations appear in the Bureau's records to the effect that Alphonse Capone was arrested at Chicago on January 23, 1929, suspect discharged. In this connection the Bureau desires that you have the fingerprints compared with the fingerprints of Alphonse Capone on File at the Bureau of Identification, Chicago Police Department, for the purpose of establishing whether the individual whose fingerprints were taken at the State Penitentiary, Philadelphia, August 8, 1929 was at my time in the custody of the Chicago Police, prior to August 8, 1929. In the event this is found to be true, kindly secure from the Chicago Police Department a transcript of the criminal record of the said Alphonse Capone.

Very truly yours,

Director.

APPROVED

69-180-74

BUREAU OF INVESTIGATION	
DEPARTMENT OF JUSTICE	
AUG 13 1931 P.M.	FILE

SEARCHED
INDEXED
SERIALIZED
FILED

AUG 18 1931

Department of Justice

Bureau of Investigation

Washington, D.C.

09011

Chief of Police,
Chicago, Ills.

Dear Sir:

Referring to your query received March 7, 1931, regarding Alphonse Capone, #G-69168, the following is an abstract of subject's record on file in the National Division of Identification and Information:

Subject as Alphonse Capone, #G-6906, received Philadelphia County Prison, Holmsburg, Pa., May 24, 1929, crime = carrying concealed deadly weapons; sentence - 1 year.

As Alphonse Capone, #90725, arrested PD, Philadelphia, Pa., May 17, 1929, charge - suspicious character - carrying concealed deadly weapons; disposition not given.

As Alphonse Capone, #G-6907, received State Penitentiary, Philadelphia, Pa., Aug. 8, 1930, from Philadelphia, crime = carrying concealed deadly weapon; sentence - 1 year.

As Alphonse Capone, #3363, arrested PD, Miami, Fla., May 8, 1930, charge - investigation vagrancy; released on bail May 8, 1930.

As Alphonse Capone, #G-69168, arrested PD, Chicago, Ills., Feb. 25, 1931, charge - general principles; disposition not given.

The following notations appear on our records:

"As Al Capone, New York City, suspected of murder; discharged."

"As Al Capone, Chicago, Ills. suspected of murder; discharged."

Letters Chicago

Q. 4 - 5-12-74
L.R.

69-180-74

March 10, 1935
see Capone file
Chicago, Ill.

Department of Justice

Bureau of Investigation
Washington, D. C.

Note taken & forwarded:

"As Alphonse Capone, Chicago, Ill., suspect; discharged.
As Alphonse Capone, New York City, suspect; homicide; discharged.
#3543, PD, Miami, S-10-40, investigation; no
leads on him.
#3543, Miami, Fla., S-10-40, witness; guaranteed
\$100. board."

Very truly yours,

J. E. Hoover
Director.

Copies to:

ED, Miami, Fla.
WD, Philadelphia, Pa.
WD, Philadelphia, Pa.
Milan Co. Pro. Holmesburg, Pa.

125

2000 post office,
Bureau of Investigation,
201 Long Central Avenue,
New York, N.Y.

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09069

There is transmitted herewith a perfectable copy of the fingerprints of Alphonse Capone, #3-5227, as taken at the State Penitentiary, Philadelphia, Pennsylvania, August 6, 1929. Also enclosed herewith are two copies of a letter sent by the Bureau under date of March 10, 1931, to the Chief of Police at Chicago, giving Capone's criminal record, as reflected by the files of the Bureau.

You will note by the attached copy of the Bureau's letter to the Chief of Police at Chicago that notations appear in the Bureau's records to the effect that Alphonse Capone was arrested at Philadelphia on December 11, 1929, homicide charged. In this connection the Bureau desires that you have the enclosed prints compared with the fingerprints of Alphonse Capone on file at the Bureau of Identification, New York Police Department, for the purpose of establishing whether the individual whose fingerprints were taken at the State Penitentiary, Philadelphia, August 8, 1929 was at any time in the custody of the New York Police, prior to August 8, 1929. In the event this is found to be true, kindly secure from the New York Police Department a transcript of the criminal record of the said Alphonse Capone.

Very truly yours,

RECORDED

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69-180-75

FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE

I AUG 13 1931 P. M.

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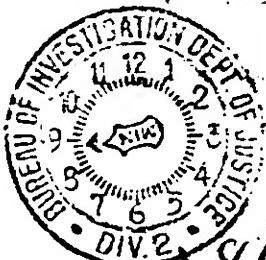
U. S. GOVERNMENT OF JUSTICE

RECE

Bureau of Investigation

Post Office Box #251
Grand Central Station
New York, N. Y.

CGS:LS
62-2938



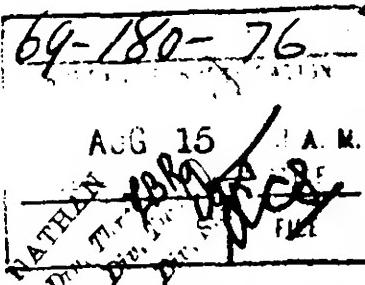
August 14, 1931.

Director,
Bureau of Investigation,
Department of Justice,
Washington, D. C.

RECORDED

AUG 20 1931

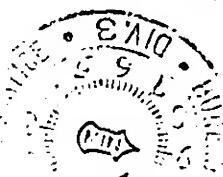
Dear Sir:



Reference is made to the Bureau's letter, dated August 11, 1931, transmitting a photostatic copy of the fingerprints of Alphonse Capone, as taken at the State Penitentiary, Philadelphia, Pa., on August 8, 1929, and requesting that inquiry be made at the Police Department, New York City, to ascertain whether the person, whose fingerprints were taken at the State Penitentiary at Philadelphia, Pa., was at any time in the custody of the New York Police Department prior to August 8, 1929.

Please be advised that inquiry at the Police Department, New York City, has revealed that that department does not have an original set of the fingerprints of the individual whose prints were taken at the State Penitentiary at Philadelphia, Pa. on August 8, 1929. The New York Police Department does have a copy of these prints which were received from the authorities at Philadelphia, Pa.

The alphabetical records of the Police Department at New York City contain an index card for one Alphonse Capone, alias Al Brown, alias Scar Face, which shows that this individual was arrested with three others at 377-18th Street, Brooklyn, N. Y. on December 27, 1925 on a charge of having in his possession a gun. He was brought before Judge Thomas McCloskey of the Homicide Court, and discharged on December 31, 1925. This is the only record that the Police Department of New York City has relative to this individual.



Very truly yours,
E. J. Consolley
E. J. CONSELLY,
Special Agent in Charge.

U. S. Department of Justice
Bureau of Investigation

Washington, D. C.
August 10, 1931

REGISTRATION

Director,
Bureau of Investigation,
Department of Justice,
Washington, D. C.

Dear Sir:

There is transmitted herewith a copy of a memorandum submitted to me by Special Agent A. W. Jacobson, together with a photostatic copy of the fingerprints of Alfonso Copone, which contains the information requested in your letter of August 8, 1931.

Very truly yours,

M. H. Purvis

M. H. Purvis
Special Agent in Charge.

AWJ:JA
62-2178

7/10/31
TWO
H. M.

69-180

69-180-97

RECORDED

10/18/31
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125

U. S. Department of Justice
Bureau of Investigation

Washington, D. C.

August 8, 1931

MEMORANDUM FOR SPECIAL AGENT IN CHARGE - M. H. PURVIS

On your instructions Agent ascertained from Mrs. L. R. Rieve, the World War Division, War Department, that Alfonzo Copone, serial #2963722, enlisted June 25, 1918 at Atlantic City, New Jersey. He served in company 13, 153 depot brigade. At the time of his enlistment his address was given as 2216 Artic Avenue, Atlantic City, New Jersey. His description according to the enlistment papers was as follows:

Age	-	22 years 5 months
Height	-	5'5 $\frac{3}{4}$ "
Hair	-	Brown
Eyes	-	Brown
Complexion		Fair
Born	-	Mantua, Italy
Occupation		Butcher
Marks and peculiarities - BRM in middle of chest - M on left shoulder - mole on back of neck.		

Copone was honorably discharged at Camp Dix on March 19, 1919, with an excellent character. He applied for adjusted compensation on February 23, 1928, at which time he gave his address as 2216 Artic Avenue, Atlantic City, New Jersey.

Mr. H. A. Vreman of the Fingerprint Division of the War Department, obtained the fingerprints of Copone from the files of that Division which are classified with the following classification.

27 11 19
28 01

A photostatic copy of these fingerprints is attached herewith.

69-180-77

- 2 -

Mr. Vreman, and Agent, also searched the file of the unclassified fingerprints of all persons who served in the World War by the name of Capone, Coponi, or Copone. This search revealed, however, that there was no such person with a surname of Alfonz, Albert, Al, or Anthony for whom there was a fingerprint card. A search was also made of the classified fingerprints under the classification of

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which was the fingerprint classification furnished by the Chicago Police Department of Alphonse Capone and also under the classification

$29 \ L \ \frac{1}{1} \ U \ \frac{101}{U} \ \frac{6}{10}$

which was the fingerprint classification of Alphonse Capone when he was arrested and sent to the penitentiary at Philadelphia, Pa. in 1929. No person by the name of Copone was found among these cards. Mr. Vreman stated that the fingerprints of Alphonse Capone bearing the latter classification listed above, had been searched on numerous occasions in the Fingerprint Division, but no record of similar prints could be found.

Very truly yours,

A. W. Jacobson
A. W. Jacobson,
Special Agent.

AWJ:tf

IDENTIFICATION RECORD CARD.

C. O. P. O. N. E. A. K. F. A. N. Y. Z. R.
(Institute name)

* Regular Army. * National Army.
* Regular Army Reserve. * Enlisted Reserve Corps.

Form No. 204, A. O. C.
M. A. U. S. - 24-17-4,000,000.

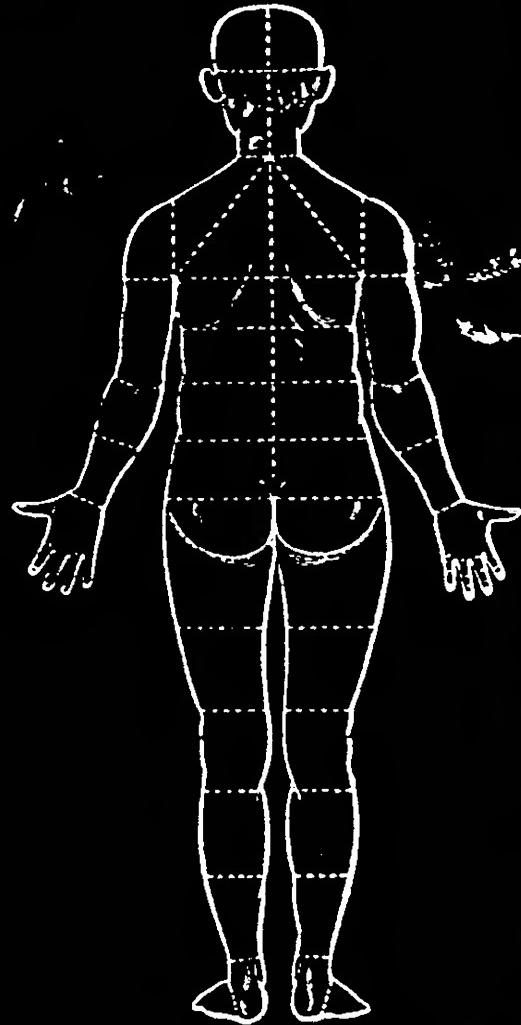
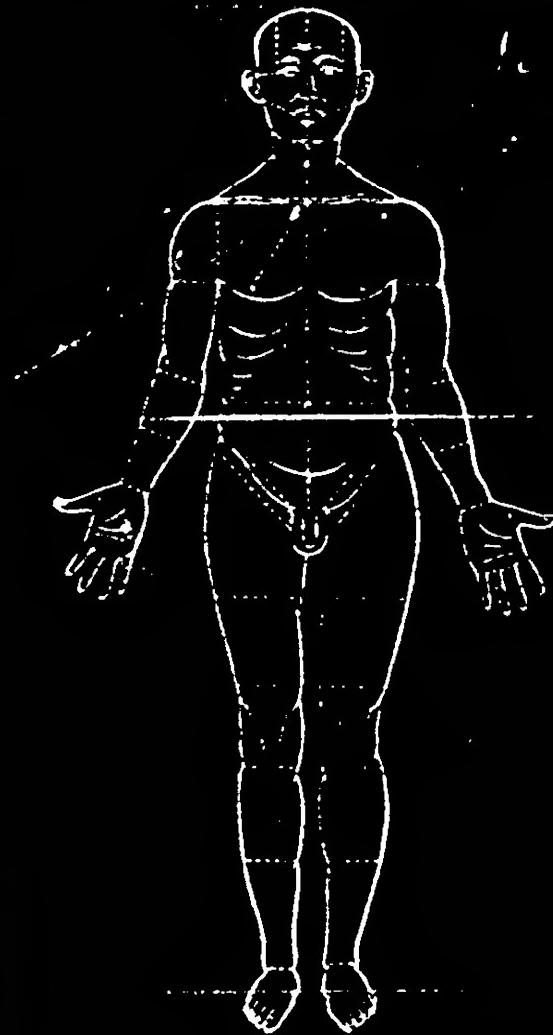


(To cover this end.)
Rolled piece of right index
finger skin, to be taken imme-
diately after signature of soldier
is written.

Signature of soldier:

Officer's signature

SCARS AND MARKS.



When completed, this form will be forwarded directly to the Adjutant General of the Army.

* Strike out what is not applicable.

191

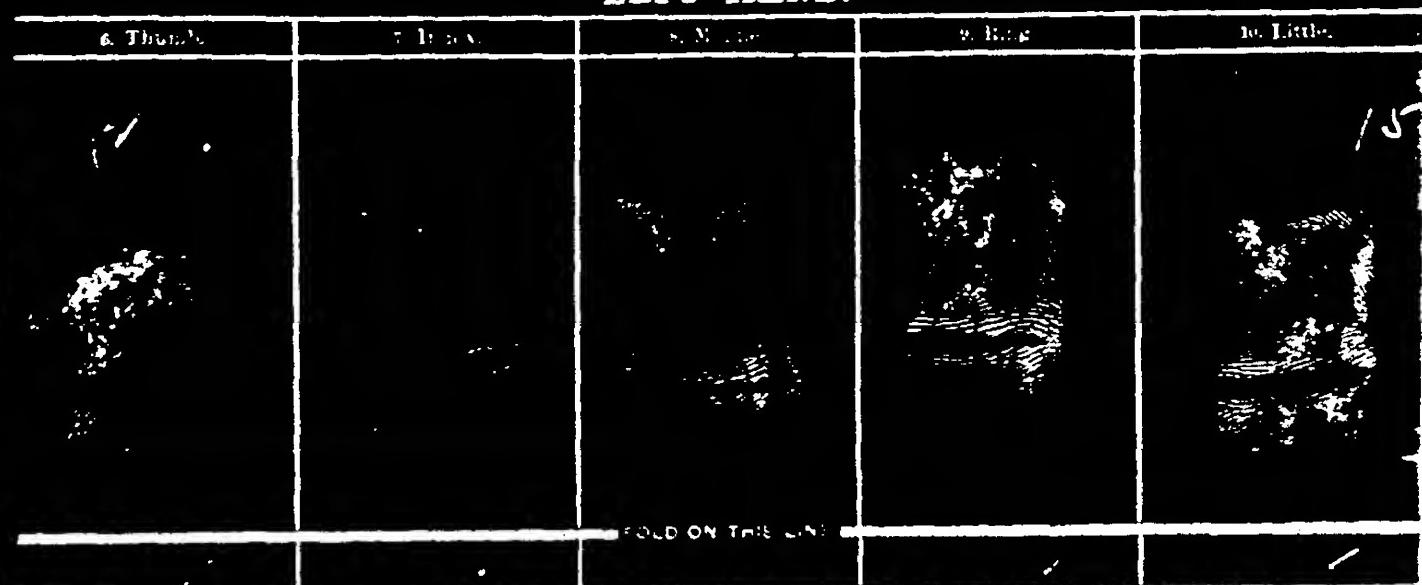
FINGER PRINTS.

N. B.—Do not write on this side of the sheet.

Classification No. 37

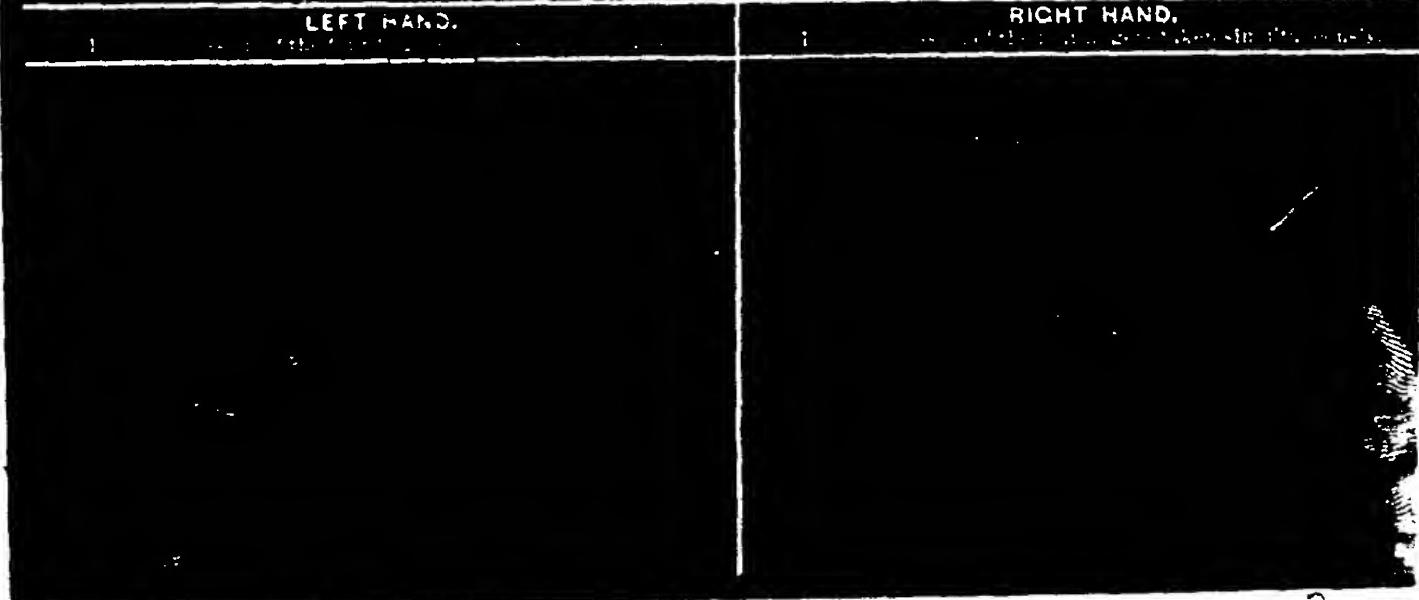
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RIGHT HAND.**LEFT HAND.**

LEFT HAND.

RIGHT HAND.



U. S. Department of Justice
180

Bureau of Investigation
POST OFFICE BOX 1405
CHICAGO, ILLINOIS

69-180-78

RECORDED

SFP 2 1931

August 20th, 1931.

RE: ALPHONSE CAPONE alias
AL BROWN alias SCARFACE .
IDENTIFICATION.

Director,
Bureau of Investigation
Department of Justice,
Washington, D.C.

Dear Sir:

Reference is made to Bureau letter dated August 12th, 1931, with which you enclosed photograph and fingerprints of Alphonse Capone and requested that the Bureau of Identification, Chicago Police Department, be contacted for the purpose of establishing whether subject, whose fingerprints were taken at the State Penitentiary, Philadelphia, Pa. on August 8, 1929, had been at any time in custody of the Chicago Police previous to August 8, 1929.

Agent T. F. Mullen of this office called upon Lieutenant Evans of the Bureau of Identification, Chicago Police Department, who compared the fingerprints submitted by the Bureau of Alphonse Capone, who was received at the State Penitentiary, Philadelphia, Pa. on August 8th, 1929, with the fingerprints on file at the Bureau of Identification of the Chicago Police Department of Alphonse Capone alias Al Brown alias Scarface, which prints were taken at Chicago on January 25th, 1925, at which time Capone was picked up as a suspect by the Chicago Police on January 23rd, 1925, in connection with the murder of John Torrio. Lieut. Evans stated that the two sets of fingerprints were identical. Lieutenant Evans made a thorough and complete search of the records on file and stated that this was the only record of arrest at Chicago of Alphonse Capone, and that his records did not show any other arrest prior to August 8th, 1929 at Chicago.

The Chicago Police Department records further divulge that on March 2nd, 1931 Alphonse Capone was sentenced to the Cook County Jail, Chicago for contempt of court, by Judge Wilkerson, at Chicago, Illinois. With reference to the notations appearing on the record received by the Chief of Police at Chicago in Bureau letter dated March 10, 1931, showing that Capone was arrested at Chicago, Illinois as a murder suspect, and was discharged, no date shown, and also that as Alphonse Capone he was arrested at Chicago, Illinois January 23rd, 1925, as a suspect, and discharged, Lieutenant Evans advised that these two notations relate to the

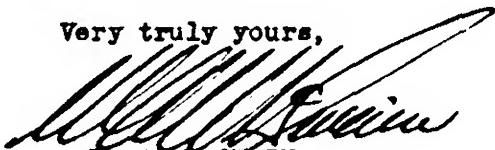
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Page 2.

same arrest, that is, on January 23rd, 1925. Mr. Evans further advised that he personally does not know of an instance where Capone had been arrested by the Chicago Police and held on a criminal offense of any kind prior to August 8th, 1929, with the exception of that set forth above as of January 23rd, 1925.

The fingerprints and photograph of Alphonse Capone are returned herewith to the Bureau.

Very truly yours,



W. A. McSWAIN
Special Agent in Charge.

TFM:JMS

32-5

JOHN EDGAR HOOVER
DIRECTOR

RECEIVED

LER:EB
69-180-78

H. S. Department of Justice
Bureau of Investigation
Washington, D. C.

August 25, 1931.

AUG 26 1931 PM

MEMORANDUM FOR THE DIRECTOR.

Under date of August 5, 1931, you requested that appropriate inquiries be made for the purpose of establishing the identity of the notorious Alphonse Capone, attention being directed to an article entitled "U. S. Army records prove Al Capone is dead", appearing in the September, 1931, issue of the Magazine "Real Detective".

Through investigation conducted by the Washington field office, the writer secured the information that no one served in the World War under the name of Alphonse Capone, nor did any individual serve in the World War whose fingerprints are identical with those of the Alphonse Capone about whom the Bureau is concerned. The War Department files disclose that one Alfonso Copone, serial #2963722, enlisted in the Army June 25, 1918, at Atlantic City, New Jersey. He served in Company 13, 153rd Depot Brigade and at the time of his enlistment his address was 2216 Artic Avenue, Atlantic City, New Jersey. This individual's fingerprint classification is 26 11 19. The actual fingerprints on file at the Identity Section 28 01 of the War Department were compared with the fingerprints of the Alphonse Capone who was finger-printed at the State Penitentiary, Philadelphia, Pennsylvania, on August 8, 1929 and found not to be identical.

Division Six of the Bureau has furnished the record of Alphonse Capone, which reveals that the first record of this individual received in the Bureau was a fingerprint card under the name Alphonus Capone, showing this subject's arrest May 14, 1929, crime carrying concealed weapons. This is the same individual who was received at the State Penitentiary, Philadelphia, Pennsylvania, August 8, 1929. Bureau records do not go back of the Philadelphia arrest.

The Chicago Bureau office was furnished a copy of the fingerprints of the Alphonse Capone who was received at the Philadelphia Prison August 8, 1929, and with these prints an investigation was made at the Chicago Police headquarters. A letter has been received from the Chicago office to the effect that a comparison of the fingerprints with

69-180-79

135
J.W.

Director.

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8-25-31.

prints on file with the Chicago Police show conclusively that this same individual was arrested by the Chicago Police on January 25, 1925 as a suspect in connection with the murder of John Torrio. Lieutenant Evans of the Identification Bureau of the Chicago Police Department informed the Chicago office that the fingerprints of the Alphonse Capone taken at the Philadelphia Penitentiary on August 8, 1929 and the fingerprints of Alphonse Capone alias Al Brown alias Scarface, arrested in Chicago January 25, 1925, are identical. The arrest in 1925 is the only arrest of this individual recorded by the Chicago Police prior to August 8, 1929. The Chicago Police records further reveal that on March 2, 1931, Alphonse Capone was sentenced to the Cook County Jail, Chicago, charge contempt of court, by Judge Wilkerson at Chicago.

A copy of the fingerprints of Alphonse Capone taken at the Penitentiary at Philadelphia, Pennsylvania, August 8, 1929, was furnished the New York office and a comparison of those prints was made with prints on file at the New York City Police Department. The New York Police Department does not have an original set of the fingerprints of the individuals whose prints were taken at Philadelphia on August 8, 1929, although it does have a copy of these prints which were received from the authorities at Philadelphia. A comparison of these prints shows conclusively that Alphonse Capone alias Al Brown alias Scarface was arrested with three others at 377 18th Street, Brooklyn, New York, on December 27, 1925, on a charge of having in his possession a gun. He was brought before Judge Thomas McClosky of the Homicide Court, New York City, and discharged on December 31, 1925. A comparison of the fingerprints of this individual with the fingerprints of Alphonse Capone who entered the State Penitentiary, Philadelphia, Pennsylvania, on August 8, 1929, shows conclusively that the two subjects are one and the same individual.

It is believed that the foregoing information is sufficient to establish that the article referred to in the magazine "Real Detective" is without foundation.

Respectfully,

L. B. Reed

L. B. Reed.

136

JK

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2-77-
7

AL CAPONE RUNS BREWERY NEAR L. A. CLAIM

By Pacific Coast News Service

SAN FRANCISCO, Sept. 17.—The first confirmation of reports of Al Capone, Chicago gang chief, to be in town in San Francisco, came yesterday with a few dozen barrels of beer received by private trucks.

Three truckloads of beer from St. Louis, Mo., were brought to San Francisco, according to reporters. The bottles bear Mexican labels, but believe it is local that their way in the city probably went through Al Capone's warehouse, known to have a dozen or more.

The distribution of the beer was effected through the usual channels of the underworld, and it is believed that it will be sold at high prices.

Not far away in Oregon, the home of Capone's chief gang, they had been reported to be leaders of the underworld, masterminded the gang that wiped out the Barker-Karpis gang.

Julian Clegg, Wilson J. Quinn, state attorney general of California, sent telegrams to enter San Francisco, but did not say definitely that he would visit the capital and speak openly with every means at his command.

District Attorney Burton Folsom yesterday said he had no knowledge of any brewery being operated in Los Angeles, Calif., by Al "Scarface" Capone or being run by anyone else.

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*Los Angeles Evening
Herald
Sept 17, 1931

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XEROXED ORIGINAL

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69-160-

September 5, 1931.

Special Agent in Charge,
Bureau of Investigation,
Box 1405,
Chicago, Illinois.

Dear Sir:

Reference is made to the case entitled ALPHONSE
CAPONE and KENNETH PHILLIPS, U. S., Contempt of Court,
Perjury, your file #69-19.

The Bureau desires that as soon as Capone's
appeal has been ruled upon by the Circuit Court, you
again consult the United States Attorney for information
as to the action he contemplates taking against subject
Phillips. The Bureau desires that this phase of the
investigation be regularly followed up. It is further
requested that the Bureau be promptly advised of any
developments in connection with this case.

Very truly yours,
For the Director,

Assistant Director.

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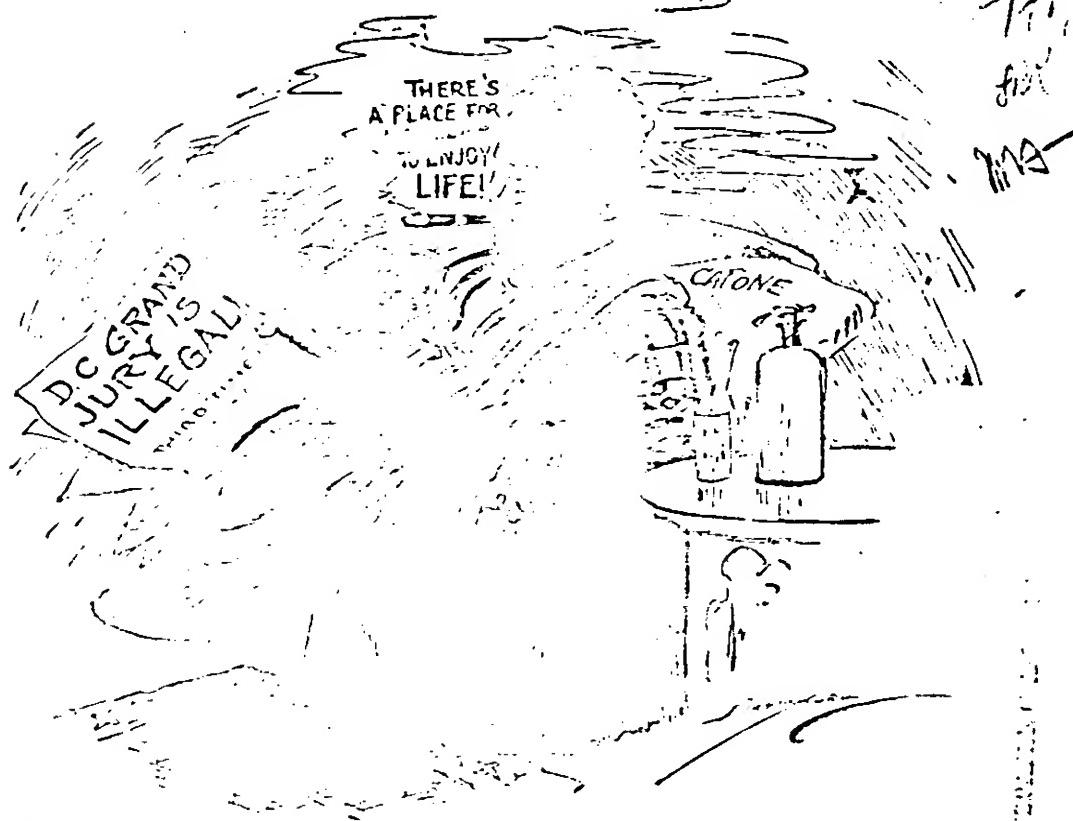
cat.

J. M.

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Washington Evening Star

Saturday, Sept. 26, 1931.



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ARMED DRAFTS - RETAIN

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CHICAGO EVENING
AMERICAN

9-26-31

CRIMINAL RECORDS TO HIGH COURT

Ralph Capone's last effort to dodge a three-year prison term was to turn toward the United States Supreme Court today.

An application for a writ of certiorari as a step toward seeking a review by the nation's highest tribunal was being prepared by Attorney George N. Murchison following yesterday's refusal of a rehearing by the United States Circuit Court of Appeals. Capone was convicted of violating the income tax laws, sentenced to three years' imprisonment and fines totaling \$15,000.

An order staying his imprisonment until October 6 was issued by the Court of Appeals. Capone will have until that time to file his petition for the writ with the Supreme Court.

UNCOVERED NEW CLUE.

If the high court should refuse to review the case, Capone may see the first snowfall from behind the bars of the Leavenworth penitentiary.

REHEARING DENIED.

The following summary was derived from Justice C. Frank Abrahams, W. H. Springs and Elmer A. Evans, the three judges who upheld the conviction and sentence. Capone was tried and found guilty on April 25, 1931, by a jury in the court of Federal Judge Charles E. Woodward.

Murchison planned well to set the Supreme Court to review the case on all conceivable points of law, but only two are involved and both are of such magnitude to demand review by the highest court.

On the outcome of Capone's conviction hangs the fate of Terry McGovern and Franklin Luhrs, who pleaded guilty to income tax frauds, with the promise of changing their plea if Capone's conviction is reversed.

SPED "ALIS" TRIAL.

Al Capone's trial for income tax evasion will not be permitted to drag on through many continuances, said Justice James H. Wilcox at noon yesterday. The court informed Attorney Michael J. Murphy, Capone's defense attorney, that he must appear in court on Sept. 29, the day after the Supreme Court's decision.

It is believed that the date is chosen to give the trial a clear-cut decision on Oct. 1, as scheduled.

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87

THE CHICAGO AMERICAN

SATURDAY, SEPTEMBER 26, 1931

RALPH CAPONE PLEADS TO HIGH COURT

Ralph Capone's last effort to dodge a three-year prison term was to move toward the United States Supreme Court today.

Application for a writ of certiorari as a step toward seeking a review by the nation's highest tribunal was being prepared by Attorney George N. Murdoch, following yesterday's refusal of a rehearing by the United States Circuit Court of Appeals. Capone was convicted of violating the income tax laws, sentenced to three years' imprisonment and fine totaling \$18,000.

If the high court should refuse to review the case, Capone may see the first snowfall from behind the bars of the Leavenworth penitentiary.

DECLARING DENIED.

The ruling made yesterday was denied in a brief opinion written by U. S. Circuit Judge Frank J. Evans, the author of the original opinion that upheld the conviction of Capone. The opinion was signed by a majority of the court, except for Federal Judge Charles E. Woodcock.

Attorney Murdoch will ask the Supreme Court to review the case on the grounds that there is a question of constitutional law involved and that the size of such magnitude to demand review by the highest court. If the court decides to hear the case, oral arguments may be held the latter part of October and a decision may be handed down early next year.

On the outcome of Capone's conviction hangs the fate of Terry Driscoll and Franklin Leslie, who pleaded guilty to income tax frauds with the privilege of claiming their plea if Capone's conviction is reversed.

SPRINGFIELD TRIAL.

If Capone's trial for income tax evasion will not be permitted to proceed through many more months, Federal Judge James H. Wilkerson has it clearly stated. The judge informed Attorney Murdoch about this he would do one of all men in the case next Tuesday.

He indicated that he had determined to have the man's trial start on October 6, as scheduled.

Attorney Ahern first claimed that the trial could not start until Capone's appeal had been decided. His contention was that the trial must wait a minimum of six weeks in absentia.

NOT RECORDED

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69-180-80X

Form No. 1

THIS CASE ORIGINATED AT JACKSONVILLE, FLA.

69-19

REPORT MADE AT: Chicago, Ill.	DATE WHEN MADE: 9/10/31	PERIOD FOR WHICH MADE: 9/10/31	REPORT MADE BY: W.H. McRAE
TITLE: ALPHONSE CAPONE KENNETH PHILLIPS, M.D.		CHARACTER OF CASE: Contempt of Court Perjury	
SYNOPSIS OF FACTS:	U.S. Circuit Court of Appeals has rendered no decision on appeal of Subject Capone. U.S. Attorney, Chicago, Ill., will not initiate prosecution concerning Subject Phillips.		
REFERENCE:	Bureau communication dated September 5, 1931.		
DETAILS:	At Chicago, Ill. The U.S. Circuit Court of Appeals has rendered no decision on the appeal of Subject Capone from the sentence imposed by U.S. District Judge Wilkinson, Chicago, Illinois, in connection with instant case. On September 10, 1931, agent conferred with U.S. Attorney George E.Q. Johnson, Chicago, Illinois, who stated that at the present time he is not inclined favorably towards prosecuting Subject Phillips involved herein.		
- P E N D I N G -			
DO NOT WRITE IN THESE SPACES			
APPROVED AND FORWARDED <i>M.W. Seeger</i>	SPECIAL AGENT IN CHARGE	69-180-81- BUREAU OF INVESTIGATION SEP 12 1931 A.M.	RECORDED AND INDEXED: SEP 12 1931
COPIES OF THIS REPORT FURNISHED TO: 3 Bureau 3 Jacksonville 1 U.S. Attorney, Chicago 2 Chicago		DEPARTMENT OF JUSTICE ROUTED TO: <i>W.H. McRae</i>	CHECKED OFF: SEP 14 1931

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NY
3

Capone's Attempts To Balk Trial Fail

WWT

Demurrer Quashed, Court Tells Gang Lord to Be

Ready Tuesday.

CHICAGO, Sept. 29 (AP)—Al Capone's efforts to balk trial for income tax evasion and to examine the Government's evidence against him were officially disposed of in Judge James H. Wilkerson's court room.

His demurrer to the indictment was overruled, the court ordered no more time given the Government, and the bandit and the lord of Chicago agreed was held to be ready for trial next Tuesday.

The trial attorneys agreed with public opinion two weeks ago that Al Capone would be indicted on the charge of tax evasion and that he would be tried in October. The trial date was set for Oct. 12.

Mr. Capone had been attempting to postpone trial on an alleged violation of his doctor's income.

✓Washington Post —
Sept. 30, 1931.

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Copone Faces Income Tax Trial Today

U. S. CHARGES CRIM. CHEFTAN OWES \$215,000.

Judge W. Kenan Today Begins
Examination of 100 Pros-
pective Jurors to Hear Case

By DANIEL PENNOY

CHICAGO, Oct. 4.—Al Capone's trial for tax evasion will open today before U. S. District Judge Alvin H. Wohlberg. All 12 members of the jury will be selected from a pool of 100 prospective jurors. The trial is expected to last at least two weeks. The defense has filed a motion to have the trial delayed until after the election.

Washington Herald

10/5/31

NOTE: INDEXED

69-180

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FORGOT THE JUDGE

The plan was under the terms of a deal agreed to have been made with certain of the Government authorities that would have let Alphonse Capone down with about two years and a half in a Federal penitentiary, which a man can do standing on his head.

It was like the time a bunch of ball players got together and decided to throw a game to the opposing club for a financial consideration. They took in all hands on the deal except a big Swede who played center field. They left him out because they thought he didn't count anyway, and they would save his "cut."

The Swede apparently hit five home runs and ruined the plan. Until it seems that in making the deal with Alphonse Capone, they left out the judge, James H. Wilkerson, of the Federal Court. Furthermore, it seems that the judge heard rumors of the deal, and he was in effect, "On is that you're up before me on the spot!"

LONG TERM PLANNED

For a long time the want to make money, good that it is impossible to keep up with the Federal Court. Alphonse Capone's legal representatives were fearing that if they were put on the stand of witness, James H. Wilkerson would demand the book at their expense, insisting that he might hear upon Alphonse Capone more time than any man could go standing on his head.

They may withdraw the plea of guilty and insist on a trial. No one knows, and Alphonse Capone does not know before Justice Wilkerson sits a jury. The day on the income tax trial is approaching.

Alphonse Capone never made much in the way of regular income in his life, but your Uncle Sam claims that over some six years he had an income of \$1,000,000. Your Uncle Sam says that Capone owes \$21,000 in income tax.

Your Uncle Sam claims that Capone glorified the income alibi, could not account of one kind and another, and, finally, demanding, and threatening to Alphonse Capone, to account of his income, no longer to pocket it. In these

(Capone den Feds R. Col. 6.)

Capone to Face Wilkerson On Tax Charge Tomorrow

*(Continued From Page One) **

Wanted: *Ships*. Or should I say

TAXES COME FIRST

Now I want gambling, and whatnot are illegal, as you well know if you read your law books plain. But that makes no difference to your Little Sam when it comes to his income tax. Alphonse Capone himself was never a "muscle man" like your Little Sam in the matter of "trackers."

Your Uncle Sam's "muscle" is the income tax, and it is the strongest "muscle" ever conceived. Your Uncle Sam "muscles" himself in on bankbooks, bookmakers, gamblers, and possibly others if there are notes enough to make an income tax return, and pay him his cut promptly.

Of course many of his family
held out against Uncle Sam and
felt so indifferent as to him,
and in that case your Uncle Sam
had to go after them. That he
has gone after Alphonse Capone.
Your Uncle Sam has noted for
several years with something
hears the apparent affluence in
which Alphonse Capone has lived,
and has finally said,

WED. APRIL 26, 1911.

1. C. V. WILSON, JR.
now full professor at Cornell, has
a class of his protégés which
will do him well. He has obtained a
fellowship for a few years
and will be able to go on
at Cornell or elsewhere if he holds
on to it.

After the civilian representatives of the Little San felipe
and Mico tribes had been held in a formal
conference, it was decided to have
them go to the town of Chimaltenango,
although in the beginning it was thought
the government would let them go to
Guatemala City. They were accompanied by
a doctor and a nurse who had been
brought especially for their health, everything
but the personal belongings of Adel
had been taken.

If we're going to regard it as a matter of consideration by the committee, I would appreciate your doing so at the earliest opportunity. I am enclosing a copy of the letter which I sent to the chairman of the committee, and I hope you will take the time to read it. I am enclosing also a copy of the letter which I sent to the chairman of the House Select Committee on Small Business, and I hope you will take the time to read it.

"Well, we got him, too!"

"Well, we got him, too."

LARGE COST LIKELY

John Macfarlane could not be found at his home in the Belmont Apartments yesterday, valued at \$10,000, and he was not to be found in New York. It is not far to divide who are expected to testify to such expenditures of money by Alphonse Capone for automobiles, houses and luxuries of one kind and another as would argue a very considerable income.

Some of the witnesses are said to be old associates of Alphonse Capone, who are expected to tell of his sharing in the proceeds of various "rackets."

A panel of 100 jurors, mainly from Illinois towns outside of Chicago, has been summoned and Judge Wilkerson will have them before him tomorrow morning afternoon for preliminary questioning. It is believed that it will take some days to select the jury.

It is up to your Uncle Sam to prove that Alphonse Capone had an income. The exact nature of the defense is not known, but it is said that Alphonse Capone will contend that the earnings of the various ventures attributed to him really went to his brother, Frank Capone, and to one of the *Capone*'s who has already paid his income tax.

MAY SAY HE'S BECKE

Also it is said that the referee will assert that Alberto Caproni is now busted tighter than the Bank of the United States, and that one reason is that he has been given to the Justice Department to carry on no further. He will be represented in court by a brilliant attorney named

M. Fred J. Abgus, who has been
the city's top legal counsel for
as many as four years, will be
replaced by another lawyer.

Your Uncle Sam is well fed, fed by what the *Times* calls "monopolies" or lawbreakers, who will be headed by United States District Attorney George L. Waring, who is accompanied by a score of capable experts of the Justice Department.

No. of copies sent to
will also be less than
John G. Edwards, of
Fridley, showed up to
look me up at the X-10
Station, the east end of a
former Elmer's Auto
Sales, the arrangement
was made in that
city to have the
first 50 newspaper releases

CASES NO NOVELT

I mean to say income tax cases are no novelty. Not even when they involve the amount represented in this case. Your Uncle Sam is always rounding up his delinquent creditors, and making them settle and the more important of these cases

• • • • •

in the public prints.
The fact that it is Alphonse
Crosby who is trying in this
instance is what is attracting
nationwide attention to the court
room in the Federal Building of
Chicago. The public sees in this
trial a halting to the very best of
justice of the most publicized man
in the United States.

As a strictly legal proposition, Alphonse Capone, until about 10 years ago a chubby Italian youngster running the streets of Brooklyn, is being tried only for his failure to account to your Uncle Sam for his earnings. But the public imagination sets Alphonse Capone on trial for a lot of things that anyone would have difficulty in proving. For high crimes and misdemeanors from petty larceny to responsibility for some of the 500 killings in Chicago, the last few years.

I would say that in Chicago the trial is being taken far more casually than elsewhere in the country. Outside Chicago, many persons seem to feel that the trial is, or was, way off the mark between the rest of the United States Government, and Alphonse Capone, which is too serious the issue.

He has been here because Al
Smith is the Vice President of
the United States and he is a good
friend and the man is of the
United States Government. He
is capitalizing so to speak. I rather
imagine that what he is trying
for now is to make a speech on
a platform that will come
to him. He now stands a chance
of becoming the next Senator—the
same chance that every scientist
is destined to stand when he
applies for the first place.

1. Chicago, I find, has been very active in the trial of the Chicago Cappers. The press "built up" by the public trials beyond his real importance. They seem to feel that the importance of the capping trial has been exaggerated.

Some of them think Alphonse Capone should have been arrested off to the Federal penitentiary in the interests of the common weal, though at the same time they applied the standard of justice which, in their view, is to prevent bad men with a Federal commission

Damon Runyon will cover the
Capitol trial which is on no-
morrow, int The Washington
Herald.

Washington Beach 10/15/31

VWH:MAM

69-180-82

DOORDSU

OCT 2 1931

September 30, 1931.

Special Agent in Charge,
Bureau of Investigation,
Box 1405,
Chicago, Illinois.

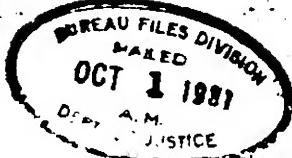
Dear Sir:

The Bureau is advised by Inspector Clegg
that he has requested you to make an examination of
all available records in order to obtain the names of
the witnesses who were subpoenaed, as well as the
witnesses who actually appeared in the Capone con-
tempt case, and that you then ascertain which of the
witnesses were not interviewed by agents of this
Bureau.

It is desired that you give prompt and
thorough attention to this request of Inspector
Clegg.

Very truly yours,

Director.

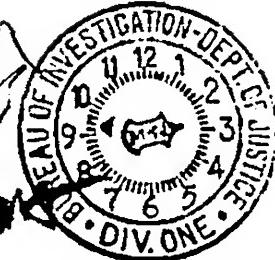


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U. S. Department of Justice
Bureau of Investigation

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POST OFFICE BOX 1405
CHICAGO, ILLINOIS.



PERSONAL AND CONFIDENTIAL

September 18, 1931 SEP 21 1931 AM

Director,
Bureau of Investigation,
Department of Justice,
Washington, D. C.

OCT 2 1931

Dear Sir:

69-180-82

BUREAU OF INVESTIGATION	
OCT 2 1931 P.M.	
DEPARTMENT OF JUSTICE	
NATHAN	FILE
Div. Two	Div. Three

RECEIVED

On September 17, 1931, during the course of a conference with United States Attorney George E. Q. Johnson at Chicago, Illinois, Mr. Johnson stated in the presence of Special Agent in Charge Connelley and Intelligence Unit Agents Sutherland and Nolan, that prior to his arrival in Washington, D. C., as is related in the statement of Harold Hayes, he was in Florida; that he went to Florida for the purpose of gaining first hand information with reference to the Alphonse Capone Contempt of Court matter, and that he might personally see and observe the witnesses there. He further stated that he interviewed witnesses in that case who were not interviewed by the Department of Justice. This latter statement was coincident with a glance in the direction of Special Agent in Charge Connelley and myself. He stated further, after indicating that this was the purpose of his trip to Florida, that he had previously had an attack of influenza and felt that he needed some sunshine, which also was a consideration in connection with his trip to Florida.

Due to the fact that Mr. Johnson had the floor in this case, making such statements as he felt necessary, in connection with a special investigation pending in Chicago, I considered it inadvisable to make any statements with reference to this matter to him or to question him further about it. However, I have requested Special Agent in Charge McSwain to make an examination of available records in order to ascertain the names of those witnesses who were subpoenaed, as well as the names of those witnesses who actually appeared in the Capone Contempt case, and to advise the Bureau the names of those witnesses who were not interviewed by Agents of this Bureau, but who were subpoenaed or actually appeared at the trial. Mr. McSwain indicated that as soon as Special Assistant to the Attorney General Froelich was able to return to his office, he would be in a position to obtain this list of names in a discreet manner for the purpose indicated.

Right. Set up to ascertain if we missed anyone.

JHC:MC 9/22/31, J. L. N.

Very truly yours,

H. H. CLEGG,
Inspector.

B-MB

11
AM

THE EVENING STAR, WASHINGTON, D. C., TUESDAY, SEPTEMBER 29, 1931.

AL CAPONE ORDERED TO TRIAL NEXT WEEK

Vain Fight Made to Have Tax
Indictments Voided—Access to
U. S. Records Denied.

By the Associated Press
CHICAGO, Sept. 29.—Federal
Judge James H. Wilkerson today over-
ruled demurrers to indictment's charging
"S. Al Capone" with defrauding
the Federal in taxes and ordered the
prosecution to stand a week from
today.

Attorneys had probed a 40-page
memorandum of defense for 10 hours
yesterday but still failed to find
any flaw in it with only brief oral
argument.

An effort to subpoena the Government's
records was also rejected. Judge
Wilkerson refused to turn over the
Government's evidence, which will
be used in connection with the trial.
He said he would not do so because
the evidence of the Government
is not yet ready for trial. He
also refused to accept the defense
claim that the U. S. Attorney's
office has failed to prove its
allegation of tax evasion by the notorious
gangster. The trial is set for Oct. 10.

The defense, however, did succeed
in getting the judge to invalidate the
indictments.



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U. S. Department of Justice
Bureau of Investigation

P. O. Box 32,
Jacksonville, Florida.
October 5, 1931.

RECEIVED

69-180

Director,
Bureau of Investigation,
Department of Justice,
Washington, D. C.

Dear Sir:

Reference is made to the case entitled ALPHONSE CAPONE,
KENNETH PHILLIPS, M. D.
CONTEMPT OF COURT,
PERJURY.

Office of origin, Jacksonville, Florida.

Report from the Chicago Office dated September 5, 1931 reflects that the United States Attorney at Chicago will not initiate prosecution concerning Subject Phillips. Report of the Jacksonville Office dated July 9, 1931 reflects that the Attorney General has instructed the United States Attorney at Jacksonville to hold in abeyance further prosecution in this matter pending the appeal of Subject Capone from his conviction in the contempt case at Chicago, Illinois.

There is no further investigation to be made in this case in this district, and I personally can see no good reason for keeping this case in a pending status, and if the Bureau's views are in line with mine I trust authority will be granted to close this case, subject to being re-opened at a later time, if necessary.

Very truly yours,

R. A. Alt.

Acting Special Agent in Charge.

R. A. Alt.
Acting Special Agent in Charge.

69-180-1

RECORDED BUREAU OF INVESTIGATION

OCT 1 1931 OCT 7 1931

NATHAN

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69-180-83

RECORDED

OCT 14 1931

October 18, 1931.

Special Agent in Charge,
Bureau of Investigation,
Box 32,
Jacksonville, Florida.

Dear Sir:

Reference is made to your letter of October 3, 1931, in the case of ALPHONSE CAPONE, aka SAMMY PHILLIPS, N. R., Contempt of Court, Perjury, Requesting authority to close this case.

The Bureau does not believe that this case should be closed because of the important nature of same and you are therefore directed to carry this case as pending, inactive, until such time as the appeal of subject Capone is decided and the matter of further prosecution in your district has been reached.

Very truly yours,
Asst. the Director,

Asst. Director.

OCT 18 1931

D.J.B.
B.O.P.

RECEIVED

U. S. Department of Justice
Bureau of Investigation

P. O. Box 1405,
Chicago, Ill.

October 6, 1931.

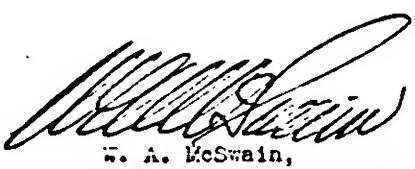
Director,
Bureau of Investigation,
Department of Justice,
Washington, D. C.

69-180

Dear Sir:

There is attached hereto as of possible
interest, a clipping taken from the Chicago Daily Tribune
under date of October 5, 1931, concerning the trial of
Al Capone for violation of the Income Tax laws.

Very truly yours,


W. A. McSwain,
Special Agent in Charge.

RECORDED
&
INDEXED

69-180-84

OCT 8 1931

KATHAN
FBI - CHICAGO

JUL 19 1972
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NEWSPAPER

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*** PRICE TWO CENTS**

N CAPONE CASE

elapse

**Physician Says
He Is Failing;
Son Has Hope**

(Picture on back page.)
West Orange, N. J., Oct. 4.—[Special]—Concern for Thomas A. Edison became more grave today as his attending physician noted a gradual ebbing of his strength and increasing difficulty in the assimilation of nourishment.

Messages from all over the world, including two from Pope Paul VI, started the sympathetic interest with which the 84 year old inventor's struggle for life is being watched.

Dr. Hubert R. Hayes of New York, under whose care Mr. Edison "has been virtually continuously since his return from Florida last June," visited his patient this morning and observed

**NATION'S EYES
ON TOMORROW'S
TAX FRAUD CASE**

**U. S. Battles to Rid
City of Scarface.**

The attention of the country will be commanded tomorrow by the trial of Al Capone as an income tax evader, which begins in Federal Judge James H. Wilkerson's court at 10 a. m. It will be the most famous of all the prosecutions of gang chieftains.

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Mr. Stoen said Mr. Capone was not as grave now as he was years ago when he had his accident, however, that the gangster's fitness is more vigorous now than it has been at any time in recent years.

At 10 o'clock this evening Captain Joseph J. Tamm, of the Chicago police, said Mr. Capone had a violent fit today. He seemed to suffer his fits frequently and is now sleeping comfortably.

With Mrs. Edison, the doctor's wife, and three of his children, Charles, George A. and James, were at the hospital.

The doctor, who is president of the American Society of Surgeons, who has Capone's case, "is apparently impossible to bargain with in court," when the doctor has a plea of guilty with him, he said.

He said the doctor has no objection to his being present in the courtroom.

Mr. Capone faces a maximum sentence of thirty-two years in the penitentiary and a fine of \$25,000 if convicted on all six felony and two misdemeanor counts.

Agents See Conviction.

Agents of the intelligence unit, which developed the income tax case against Capone, expressed themselves as certain of a conviction. The prosecutor, notwithstanding the hazards of a Capone gangster trial with hostile witnesses, called the case good. New propositions of law will have to be argued for Capone had no bank accounts in contrast to the other gangsters that have been tried, and the trial is expected to require at least two weeks.

A procession of Capone hoodlums will pass through the courtroom if the government calls all the witnesses it has under subpoena. Most notorious is bullet marked Johnny Torrio, predecessor of Capone at the head of the gang, who was brought back from his Long Island exile after six years absence from Chicago. Most valuable for the government probably will be Fred Ries, the man whose testimony resulted in the conviction of Jack Guzik, Capone's business manager.

Sent to South America.

Ries was sent on an extended South American tour by the government, after he had testified against Guzik, because of determined efforts by the gang to ferret him out. But Ries returned and the government for a time lost track of him. It was reported that he grew weary of constant surveillance and feared testifying against Capone. But Ries was found again and served with a subpoena through the ingenuity of Clarence Converse, the ace of the intelligence unit's ace hoodlum hunters.

Ries, a veteran Cagno gambler, insisted that the gambling houses he managed for Guzik netted weekly profits of \$25,000 to \$30,000. He named Al Capone, Ralph Capone, and Frank Nitti as members of the syndicate which acquired the "Gamblers' Row."

Louis La Cava, Pete Pirovitch, Louis Alteris, and Frank Pope, all interested in Capone gambling houses at some time, are prospective government witnesses. Another is Sam Gandy, brother of Jack and "Lem" collector for the syndicate, who was brought from Leavenworth, where he is serving a year's sentence for tax evasion.

Frank Capone, son of the gangster,

JOURNAL-POST. TUESDAY, OCTOBER 6, 1931

CAPONE'S LEGS SHAKE BEFORE JUDGE'S BENCH

Vice Lord Nervous as He
Pleads Not Guilty in
Tax Case.

ONE KNEE WOBBLES

Sweat Pours Down Knife-
Scarred Face in Chicago
Federal Court.

By United Press
FEDERAL BUILDING, CHICAGO, Oct. 6.—Al Capone today pleaded not guilty to income tax evasion charges on which the United States government hopes to send the major criminal of the decade to prison. As he pleaded, Capone stood with one knee wobbling before Federal Judge James H. Wilkerson in United States district court.

A few minutes before newspaper

CAPONE RIDES IN DUSTY FORD SEDAN FOR SAFETY.

CHICAGO, Oct. 6—(U.P.)—A dust-covered Maroon Ford sedan is Al Capone's means of retelling about these days.

Capone rode in the front seat, with Phil O'D Andrea, his chauffeur. In the back seat usually are "Machine Gun" Jack McGurn, Mike Kelly and Frank Kline or other bodyguards.

They drove the gang desperado to give up riding in his special motor fortress, a powerful sedan with armour-plated top and body and double paned bullet-proof glass windows. He formerly rode in the armored car, with a sound silver proceeding and an automobile loaded with machine-guns following.

Too many rivals learned the fact and Capone believed he would be safer in a small, inconspicuous car.

Men had asked the paunchy gang desperado if he were worried.

Capone shoved a piece of candy in his mouth, chewed vigorously a moment and said:

"Who wouldn't worry? I don't know if I'll be acquitted or not. But who wouldn't worry? Sure, I'm worrying."

Capone's right knee wobbled as he stood in front of the judge's bench and said "not guilty" when the charges were read. He shifted his weight to steady it.

other for a "incident" of "rumored" intent to nominate at the president's table. Capone glanced at the ceiling. Then looked away. Defense Counsel Aborn and Frank protested presence of forty newspaper men and women grouped about five press tables.

"The jury will be led to believe that they should bring in a verdict to please the public and not one based on the evidence," said Aborn, calm and dynamic.

"The constitution provides that this should be a public trial and the room is under the direction of the marshal," Judge Wilkerson replied.

Aborn pushed his protest. "What's your motion in regard to the press tables?" snapped the judge.

"That they be excluded and that the press people find seats in another part of the court room where they are not so conspicuous," Aborn said.

Unusual, Says Judge.

Judge Wilkerson pondered a moment. He remarked that "speaking from twenty-five years' experience, I never have known a ruling of this kind to be made."

Capone, in his dark blue suit, white shirt, purple and white tie, and glittering diamonds sat twitching his fingers.

Large beads of sweat stood on the bald spot on his forehead and trickled down to splash on his coat collar. He mopped his face continually, although the court room was warm. No one else seemed to be suffering from the heat.

Judge Wilkerson indicated the newspaper representatives would keep their tables opposite the jury.

The prospective jurors, excluded during the argument over press tables, were again led in by four United States marshals.

The first panel of twelve was sworn in as a body. The others were seated within earshot to hear the court's instructions.

Two Indians came.
"There are two indictments," said Judge Wilkerson. "They charge the defendant with attempts to evade and defeat the income tax and that he failed to return a tax report in certain years."

"The defendant is sitting over there." The judge pointed and asked Capone to stand.

Startled, the man with bulging features, button-nosed, smiling his weird, jerked himself up and started to go before the bench. However, his wife, he stopped down again. "That's all right," said Wilkerson. No one smiled at Capone's awkwardness.

The first juror questioned was Edward Ryan, Klipspringer, a partly bald man with a drooping mustache and shell rim glasses. He said he had no opinion about the case and nothing would prejudice him.

W. T. Kent, McKinley County, said he, too, was "open minded." William E. Devine, with Aborn, assured Capone with his drawing answer. The "bullet-

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CAPONE TO TRIAL

10-6-31

Al Capone Goes With Gangster, but His Indifferent Manner in Court Is Missing.

FIGHT FOR JURY BEGINS

Opening of the Case Makes a Spectacle in Showdown in Battle on Crime.

GAMBLE FOR VICE REIGN

"Scarface Al" Plays Risk on Verdict in Effort to Defeat Tax Evasion Charge.

CAPONE FINDS PUBLICITY NOT ALL TO HIS LIKING.

(By the Associated Press)

Chicago, Oct. 6.—At the opening of the trial of Al Capone today, Michael Ahern, defense attorney, made a motion to remove about thirty newspaper and press association reporters who were seated at tables just before the bar. He asked that the reporters be required to find seats in the rear of the courtroom, in the space usually allotted for spectators. The judge took the motion under advisement.

Ahern said his motion was made in the belief the newspaper representatives might disconcert the jurors. The attorney also said that the case has attracted too much "attention in the public mind."

"I trust that these persons seated at tables are connected with the newspaper work," Judge Wilkerson said. "I expect they will be here to cover the trial. I do not want them to interfere with the proceedings."

CAPONE TO TRIAL

(Continued From First Page)
low voice when the judge asked for his plea on the income tax charge.

Judge Wilkerson, however,

Judge Wilkerson ordered that the veniremen be brought into the court. About sixty men, most of them middle-aged, entered.

Judge Wilkerson began the examination of veniremen, attempting to find out whether any had fixed opinions. He had weeded out the obviously unfit and those with good excuses in an advance session with the veniremen yesterday.

The court indicated he did not expect to find jurors who had not read about the defendant or the case. His question was "Has what you have read influenced you or made you incapable of being fair to the defendant and to the government?"

"You must understand," said Judge Wilkerson, "that the defendant is not being tried here for anything except the charge of violating the revenue laws of the United States."

Alert Watch by Capone.

Capone was much more alert, obviously much more anxious, than he was during the trial last February, which resulted in a 6-month sentence for contempt of court. At that trial, in the same courtroom and before the same judge, he lounged in his chair at the counsel table chewing gum slowly and apparently took little interest in the proceedings, gazing much of the time at the ceiling. Today he leaned forward in his chair.

The gang chief's challenge to the federal government to try to convict him as an income tax evader reached the showdown stage, with Capone expressing confidence of acquittal if, as he put it, he is given a "fair trial."

"And by a fair trial I mean that jurors receive the evidence with open minds and receive their judgment of my guilt or innocence until all the facts are in," he said.

Capone said he pleaded guilty to the income tax charge two months ago because of the expense of a trial and because it was the "easiest way out."

Should the jury in the present trial convict him on all counts of the indictment, he will be liable to a maximum sentence of thirty-two years and a fine of \$30,000.

A Sign of Nervousness.
When the judge, in introducing the veniremen, the principal in trial, mentioned his name, Capone

jumped up and started to walk toward the bench, apparently believing the judge wanted to question him. His attorneys waved him back. Later Michael Ahern, defense attorney, who had moved his chair near the jury box to hear the answers, motioned for a sheaf of papers. The burly gangster grabbed them and right turned up to hand them to the lawyer.

After Judge Wilkerson had questioned three veniremen, Ahern interrupted the proceedings to ask that a list of the prosecution's witnesses be furnished to Capone. Judge Wilkerson denied a similar request at a hearing recently, but took Ahern's new motion under advisement.

May Not Take Stand.

Edwin Terras, an accountant, was excused from jury duty after Terras said he would not desire to be tried "by a jury in my frame of mind, if I were in the defendant's position."

The defense indicated by its questions that Capone would not take the witness stand.

"Is in the trial the defendant does not take the stand, which he has a perfect right not to do, would that prejudice you in any way?" was the question as framed by the defense. The judge added: "The situation frequently arises in these cases that the defendant does not testify and that must not be considered by the jury. The burden of proof is on the government, not on the defendant."

CAPONE WITH NERVES NOW.

(Trial Pace Halted in Hail For Frown That Held in Past.)

(By the Associated Press)

Chicago, Oct. 6.—The pudgy fingers of the world's most notorious gangster drummed nervously on the counsel table.

Suddenly he became aware of the drumming; checked it quickly. He was worried, of course.

Al Capone was in a new setting, and he appeared uncomfortable. Uncle Sam was in command in this federal courtroom, instead of his own bodyguard. Before him were the men who were to judge him, his peers: the 612 jurors ever to weigh a criminal charge against him.

He mopped his round face, his hands, the back of his full neck, until his fancy blue-bordered handkerchief became limp.

To his apprehensive visions of iron-barred windows was added another trouble. Al had a cold, a bad one. His pockets had to be well stocked to hold the number of cough drops he chewed. As there came hails in the process of selecting jurors, one could hear him "crunch, crunch" the drops. He spoke hoarsely.

The gangster arrived in his own car driven by federal agents. Federal building attaches held the crowd back and kept loiterers on the more.

Capone said he knew he was "alone."

"I don't know what you mean by guards. None of my friends are here. There are only federal men and reporters—"

"That is, you hope so—"

"Yes—"

Back at his headquarters in the Lexington hotel, he said, there were two women waiting for word from him—his mother and his wife.

"My wife and my son—he's 12 years old now—came up from Miami to be with me. But they are not in court."

Not recorded

and which had been filed against Capone, was on trial. The trial ended with a guilty plea and a sentence of six years in Leavenworth.

Charged with evading taxes on an alleged 6-year income of \$1,000,000, the "body gang" defendant had before him Judge James H. Wilkerson and decided to undertake "that mighty" old "guilty" plea so recently adopted by the "Woolly" place. The first step in the procedure was to have the defense attorney file a motion for a change of venue.

Not in sight, or visible. For the prosecution it was the president of all organized crime, Al Capone. Capone had been tried and often convicted, but this time it was the "big fellow" himself, the man whose name is synonymous with "gangster" all over the world. The government, throwing all of its resources into the battle, did not attempt to hide the fact that this was the most important gangster case.

For Capone it was a gamble. He had once pleaded guilty to the charge, but when Judge Wilkerson announced he would not be bound by any agreement for leniency and that Capone could have to take the stand despite his guilty plea, the gangster decided to fight it out, to wager an acquittal against a heavier sentence.

Dodge Part of Crowd.

The gangster's entrance and the opening of the trial lacked only a flourish of trumpets to give the illusion of comic opera. Crowds gathered at every entrance to the federal building. It was their only chance to see Capone, as the public was barred from the trial, but most of the spectators were disappointed.

Surrounded by a police detail "to see that nothing happened to him," Capone ran in a side entrance, slipped past photographers and walked quickly through the crowded corridor. He nodded and grinned at an occasional cry of "Hello, Al," and shouldered his way disdainfully through the line of guards at the entrance to the courtroom.

When he entered the courtroom, about twenty minutes before court was opened, he was surrounded by reporters. He was asked if he had lost any of his 200 pounds, what shade of blue his suit was, what he had been doing for exercise. To most of the queries he answered with his set grin or a shrug of his shoulders.

He Might Be Worried.

Someone asked if he was worried. He hesitated a moment and then replied: "Well, to be frank with you—who wouldn't be?"

George E. Q. Johnson, United States district attorney actively prosecuting a gangster income tax case for the first time, was the next to enter, and was followed by five assistants. He did not care to make any predictions, but he said, "After this is all over, I'm sure everyone will admit that no one ever got a squarer deal than Al Capone in this trial."

In the circuit court of appeals today Al's brother, Ralph, was granted another stay until October 30 of the mandate that would take him to Leavenworth penitentiary to serve a 3-year term for income tax violations. The elder Capone asked further time to file his appeal in the Federal State supreme court.

Al Capone arose quickly from his seat at the counsel table, and waited before the bar when Judge Wilkerson asked: "Is the defendant in court?"

J. A. Bryant
J.W.
7/13/72

THE SHOW-DOWN.



NEWSPAPER CLIPPING
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JUL 13 1972

OS
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afraid of

H. G. Journal Post

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The defense is giving the prosecution in Co. Fitchburg for tax evasion a great deal of trouble. Managers of gambling and other joints allegedly belonging to Capone are testifying to an astounding vagueness regarding the ownership of the properties.

It can be assumed that Capone was shrewd enough to foresee the necessity of covering up direct evidence of his connection with his many enterprises, not so much for purposes of tax evasion as to avoid criminal prosecutions in state courts. Thus he may have made it very difficult for the federal government to prove its tax case against him.

This was the reason for the "bargain" which Federal Judge Wilkerson rejected. The federal prosecutor did not feel that he had a case against the gangster that would stand up in court.

Nevertheless, Capone is worried. This is because he fears that he is not being tried on the evidence but on his general reputation. Though the evidence presented in court may not prove anything, the jurors feel certain that he is guilty as charged because his connection with gambling joints and bootlegging syndicates is common knowledge. Regardless of what is presented in court, the jurors know that Capone is a social menace. If he is not, he is the worst maligned man in the world today.

King George.

In his speech dissolving parliament, King George of England followed custom by speaking in the first person as if the deeds of the administration then comes to an end by the dissolution of the national legislature were in some measure an achievement of the King himself. Usually this is a mere traditional form, since the British sovereign has very little legal authority and is forced to agree to the acts of the cabinet which is created by the parliamentary majority.

But the king's words yesterday were more than a mere form, because the coalition cabinet was largely the work of George V himself. He by his personal influence and the prestige of his position, forced Stanley Baldwin and Ramsay MacDonald to join forces, forget party and save the country from disaster. It is reported that Baldwin was reluctant to do that, but the king returned from a vacation in Scotland and made him "snap into it."

King George is a mild, rather dull person, totally lacking in dramatic sense and with a commendable talent for minding his own business. But he is no fool and he has character. He was the one Englishman who could bring the parties together during the crisis for the very reason that he generally keeps his nose out of politics. When the times demanded it, he showed that he knew how to act with decision and common sense.

He probably is responsible for the first two

Kansas City
terminal Post

10-7-31 KANE

avoids making dates. The less he has to do with earning his money, the more he likes to show off with it. Unless she goes about it very subtly, the girl who tries to save his pocket-book enters upon a dangerous undertaking.

There is another reason for this kind of subtlety besides masculine vanity. Undue regard by a girl for the state of his finances scares a man. It looks as if she is taking his problems entirely too seriously for the good of his own freedom. He says to himself, "This will never do. The gal is thinking of marriage. I shall take myself to one who orders banana splits instead of soda."

The Northwestern girls know their boy friends. They are to be congratulated upon their feminine guile.

Al Capone's Nervousness.

When Al Capone stood before Federal Judge James H. Wilkerson in Chicago yesterday to plead not guilty to charges of tax evasion, he did not look like a bold, bad man. He was accused of bad conduct but his appearance was far from bold. He was nervous; his knees wobbled; he perspired.

The newspaper reporters jumped to the conclusion that "Scarface" is really a coward. That was not necessarily the case. Capone may have merely been suffering from a pardonable attack of stage fright, similar to that which seizes a business man untrained in public speaking when he arises to address a large audience. No one is so unkind as to interpret the speaker's lack of poise as a sign of moral cowardice.

Such a business man's nervousness is due to lack of experience. That might very well have been the trouble with Al Capone yesterday. He isn't used to appearing in court. He is especially inexperienced in facing charges that mean anything. He has been too busy committing crimes and controlling public officials to learn how to stand at ease before a stern judge who refuses to bargain with bootleggers.

Consequently, Capone's nervousness is understandable. Any citizen who had gone along for years without dreaming of being haled into court like a common criminal would have a touch of stage fright under the circumstances.

NOT RECORDED

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JUL-13-1972
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A.C. 8
10-8-37
MAIN
EDITION

CITY, OCTOBER 7.

THE WEATHER—CLOUDY.

12 midnight	74	10	+	61
4 a.m.	75	12	M	62
8 a.m.	75	12	poor	63
12 m.	74	12	poor	63
4 p.m.	74	10	+	63
8 p.m.	74	10	+	63
12 m.	74	10	+	63
General				

The Forecast—Kansas City and vicinity: Cloudy and considerably cooler tonight; Thursday mostly fair.

Wind velocity, noon, 10 miles from the north.
Relative humidity, noon, 75 per cent.
River stage today, 4.0 feet, station 407.
Precipitation in twelve hours, none.
7 a.m., none.
(Government forecast for Great area on market page.)

DEFY WRATH OF CAPONE

TWO CRUSADERS INJURED IN A RAID APPEAR TO TESTIFY.

Attack by Hoodlums Fails to Dismay Investigators for Ministers in Their Campaign on Gang Chieftain.

By the Associated Press.

CHICAGO, Oct. 7.—A raid engineered by a ministerial association on a Closter, Ill., gambling house in 1932 was described today in the government's opening attempt to prove that "Scarface Al" Capone had an income on which he paid no taxes.

Two mild-mannered men who described themselves as "investigators, not detectives," testified they participated in the raid, that Capone was there, said he "owned the place" and warned them "this will be the last raid you ever make."

They remembered the date and place well, both said, because when they got outside "a thousand men" mobbed them and beat them up, breaking noses and blushing eyes.

When the gambling paraphernalia had been confiscated, loaded in cars and the raiders prepared to leave, Capone, who was in the house, sent his bodyguards out to intercept the crusaders, said Tom McNamee, former Capone's bodyguard and now a federal witness. The crusaders

ICE: In Kansas City 8 Cents
Snowbore..... 8 Cents

RULE WITH CAPONE

Three Others Share Equally in Chicago Gang Power, Evidence Indicates.

LIGHT ON CRIME INCOME

Four Leaders Get One-Sixth Each of Profits While Remainder Goes to Employees.

A FIGHT OVER DOCUMENTS

Defense Seeks to Bar Vice Chief's Admission of Tax Evasion.

Chicago, Oct. 8.—"Scarface Al" Capone is only one of four men who rule Chicago's underworld organization and he shares equally with the other three the spoils from illicit operations, it was indicated today in documentary evidence the government attempted to introduce into the records of Capone's income tax trial in federal court. The names of the three other chiefs were not listed.

The documents purported to show the gang chief had admitted a tax liability and attempted to settle with the revenue department.

Debate With Jury Aways.

After the first witness was called and the prosecution asked him to identify one of the documents defense attorneys objected. The jury was excused and Samuel G. Clawson, assistant United States district attorney, read to the court what he expected to introduce as evidence. This included the alleged statement by a Capone attorney that the gangster admitted he owed "some tax" and would be willing to settle on the basis of the following income: \$20,000 in 1930, \$40,000 in 1931, \$40,000 in 1932 and \$40,000 in 1933.

An artist drew Alphonse Capone in full gear in Chicago, where the Chicago gang chief went on trial.

MENTS OF CONCERN AT



courtroom of the United States charges of evading income ta

69-180-84X5

Briggs, an insurance agent of Berwyn, a Chicago suburb, testified he, as a member of the West Suburban Ministers' and Citizens' Association, took part in a raid on an alleged gambling establishment in Cicero in May, 1930.

"I was assigned to guard the front door while the other members of the raiding party went to the second floor of the building," Bragg testified. "A man (he identified him as Capone) began pushing on the door to get in."

"I asked him: 'What do you think this is, a party?' He said, 'I own this place,' so I let him in."

Bragg said that Capone followed the raiding party to the second floor. A few minutes later, Bragg said, he heard Capone ask Rev. R. L. Hooge, a Berwyn minister, and leader of the raid, "why are you always picking on me?"

A WARNING BY GANGSTER.

"You pulled the last raid on me that you're going to pull," the witness quoted Capone as telling the minister.

Bragg said the second floor of the building was equipped with what he believed to be roulette wheels, chuck-a-luck games and racing forms. Capone was not arrested in the raid, Bragg said, "because, I believe, the raiding party had no warrant for his arrest."

When asked why Capone subsequently was not arrested, Bragg replied:

"I don't pretend to know the intricacies of the law in such cases. I think it was a rotten follow-up job by the police after the raid."

Dwight H. Green, assistant district attorney, laid the groundwork for the government case with an emotional account of the two indictments of twenty-three counts against Capone and of the various sums of alleged income and taxes from 1926 to 1929.

CONFERENCE OVER A JUROR.

"The evidence will show," Green said, "that the defendant's manner of doing business, his handling huge sums of money in cash and telegraphic money orders, his dissipation of assets, all were part of a scheme to defeat and evade the taxes. He had money in plenty, but he paid none of it to the government."

The opening statement was delayed about forty minutes by a conference between Federal Judge James H. Wilkerson and counsel for both sides. The defense said it had learned reasons for which one of the jurors seated yesterday should be disqualified, but after the conference, the jurors were all allowed to remain and there was no explanation of the objection.

"The evidence will show that this defendant never filed a return in this federal district, never paid any tax for any of the years covered in these indictments," Green continued, "although he maintained an office, a principal headquarters and his principal residence in this city."

Capone was in fine fettle for the trial. "Dealing a lot better," he said. "This is really in started." He had assumed an affable attitude toward all and went forward in intense interest at each court maneuver.

FALSE FILES PAROLE BID.

From Prison November 22
W. C. F. - Possible
Whittemore Oct. 1 - Albert E. Park,
former secretary of the interior, served
one year and 6 days under conviction
of mail fraud in connection with the

case, with the main trial postponed until the government's exhibit. The first exhibit of the group was a power of attorney, allegedly signed by Capone, in which the gangster informed all those concerned that Mattingly could represent him in conferences with revenue agents and make any private agreements or compromises with them.

Capone in a Conference.

A stenographic report of an alleged conference in which Capone himself took part also was read to the court, but the gangster was quoted as saying little except "I'd rather let my lawyer answer that." He did say, according to the exhibit, he had no bank accounts, no real estate, no safe deposit boxes, that he owned no race horses and carried his money with him.

Mattingly, in letters to the government agents, and in conversations, all in the spring of 1930, was quoted as saying Capone admitted a liability, but that it was much less than the public and the government suspected.

SPLIT IN THE PROFIT.

Since Capone left the employ of Torrio (the gang boss whose place he took), the attorney was quoted as saying the defendant had been associated with three other men in a business enterprise, but that because Capone entered the business with no capital, his return in the first few years was not large. A group of regular employees received one-third of the profits, a Mattingly letter to the revenue department said, and Capone and the other three heads of the business each took one-sixth. Mattingly was quoted as saying that contrary to popular belief, Capone did not have a large number of bodyguards, but that a few employees of the organization with which he was connected sometimes followed him. The furniture in the Florida home did not cost more than \$30,000, according to the attorney's statements, and there was a mortgage on the home for \$30,000.

Judge James H. Wilkerson, after bearing the documents summarized, said it appeared to him the evidence was admissible, but he permitted defense attorneys to argue the point. The jury remained out of the room.

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JURY, DEFENDANT AND WITNESSES



10-8-31

THE KANSAS CITY STAR

THE JURY, DEFENDANT AND SOME OF THE ATTORNEYS IN THE GOVERNMENT'S CASE AGAINST AL CAPONE



INT

JULY 8 1972
XEROXED ORIGINAL - ALL RIGHTS RESERVED
HOLD CANNI GIR'S FATE for trial. Left to right: L. P. Williams, Bill Duren, N. C. Clark, the opening argument by (AP Wire).—The jury is shown hands off W. J. Hennessy, A. G. Miller, W. E. Brown, A. M. Clegg, and H. C. W. DeGarmo, now the law of "Boastful Al." Next stand A. O. Peck, L. J. Leutzbach, United States marshal. DEFENDANT AND CO-CAPONE, notorious Chicago gangster, F. J. O'Farrell, during his defense, shown above, along with his attorney, H. Green, assistant of his attorney, Albert J. Capone, charged with federal income tax evasion. J. H. Larson, A. G. Miller, assistant United States attorney, also conference.

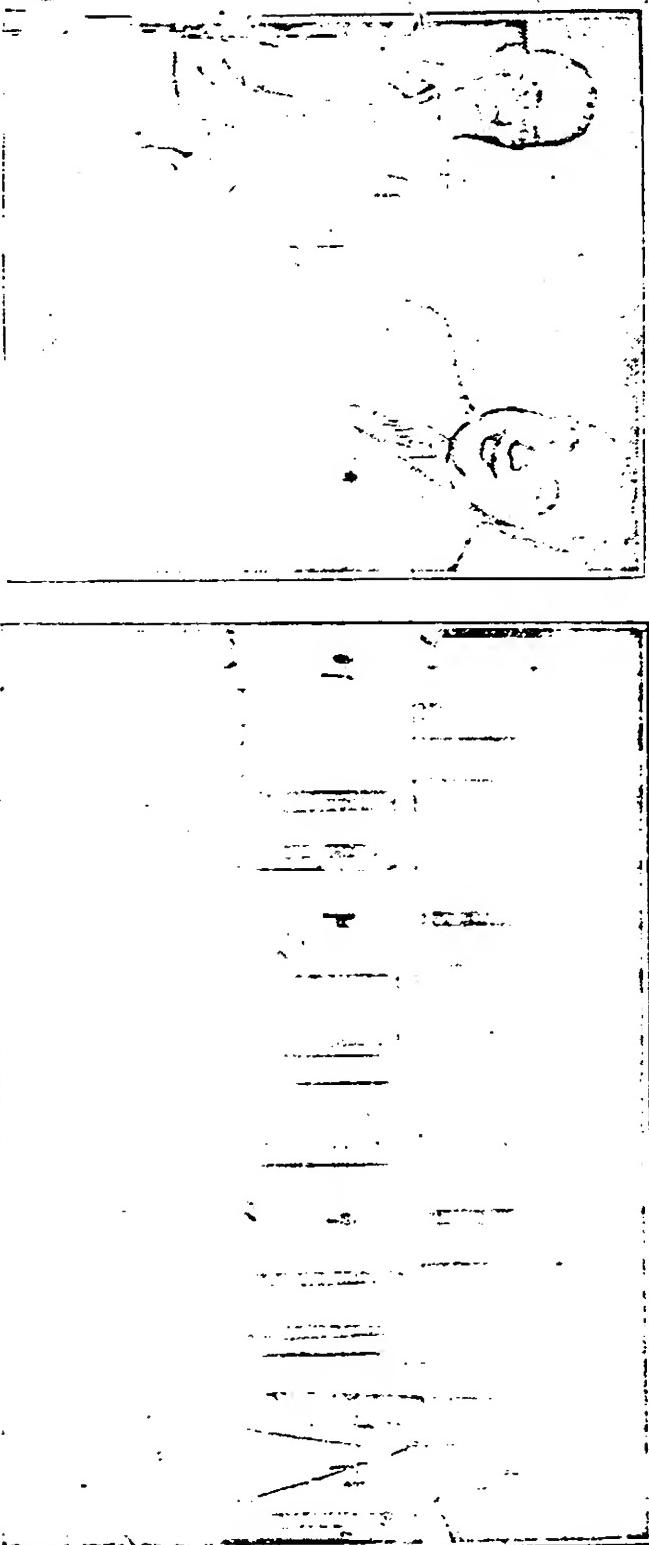
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Chicago's Late Crime Czar Faces the Music



—INTERVIEWED AND PICTURED

Al Capone (right) and Frank, one of his counsel, confer in the 11th floor courtroom of the U.S. Courthouse in Chicago during "the big fellow's" trial.

INDEXED

110
J. B. Peacock

JUL 18 1972
OS
REMOVED ORIGINAL RETAIN

U. S. Department of Justice
Bureau of Investigation

P.O. BOX 451,
PHILADELPHIA, PA.



RW:AG.

October 8, 1931.

Director,
Bureau of Investigation,
Department of Justice,
Washington, D.C.

Dear Sir:

[REDACTED] b7D
On October 6, 1931, [REDACTED], Germantown, Philadelphia, Pa., (Telephone No. [REDACTED]), who is employed by the Reading Railroad Company, advised Special Agent Seery of this office that he has received information from a confidential source that a tailor in New York City has made suits totaling Thirty Thousand Dollars, which were paid for by Al Capone, and that these suits were made on orders, which were issued by Capone in favor of various individuals. [REDACTED] advised Agent Seery that he would ascertain the name of the tailor and furnish same to the Philadelphia Office.

On October 7, 1931, [REDACTED] again called and stated that the name of the tailor referred to and information concerning this matter might be obtained through [REDACTED], Freeport, L.I., New York, whose brother (name unknown) is thoroughly familiar with all of the facts in this connection.

[REDACTED] made no explanation as to why he voluntarily furnished the above information to this office other than to state that he thought it might be of interest in connection with the Government's prosecution of Capone.

The above is being furnished to the Bureau for its information and such attention as might be deemed appropriate.

&

Very truly yours, INDEXED

Rhea Whitley, Acting
Special Agent in Charge.

69-180-85

69-180

Frank Youngquist
10/13/31 Div. Two

RECORDED

200-100

69-100-83

October 24, 1938.

This letter is to advise you that
the Bureau has just received information
that it might be possible to get
you released from confinement in the
Federal Building here in the near future.

Very truly yours,

W. L. Tamm.



A.P.B.
P.M.

U. S. Department of Justice
Bureau of Investigation



P. O. Box 1405,
Chicago, Ill.

October 12, 1931.

Director,
Bureau of Investigation,
Department of Justice,
Washington, D. C.

Dear Sir:

There are attached hereto as of possible interest,
various clippings taken from Chicago newspapers concerning
the trial of Alphonse Capone on a charge of non-payment of
income tax.

Very truly yours,

RECORDED

W. A. McSrae,
Special Agent in Charge

OCT 15 1931

69-180-86

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CARTOON SATURDAY, OCTOBER 22

BARE CAPONE!

Cash Over Wires
Bares Gang Czar's
Luxury in South

U. S. Wins Fight to
List Outgo as
Income.

GIRLS TESTIFY

Money Order Sent
to Gang Czar by
Sam Cusick

(Continued on Back Page.)
"Scarface" Alphonse Capone
yesterday came to an account
with the United States
Government to the tune of
\$1,000,000,000. This sum
of dollars which flowed over
telegraph wires from the seat
of his gangland empire in the
Chicago winter.

69-186-86

69-180-86
17

in the courtroom yesterday, the defense presented its case, which was that the defendant was not guilty of the charge of first degree murder. The defense attorney, Mr. Parker Edwards, Jr., told the court that his client, who had been held without bail since his arrest on January 24, had been held in jail because he was wanted in another state.

The prosecution showed, in its opening statement, that John C. Gandy had been found dead in his pocket. In the course of his examination it was brought out that Gandy had been shot in the head, and that his gun had been found in the same place where he had been found. The defense also produced evidence that Gandy had been shot from behind, and that the bullet

GENERAL INFORMATION WILLA

These Florida examinations were only part of the picture presented to the jury of rurals last year. The government during the day. The government during the morning session also pried into the private life of the gangster, during his residence at the Metropole Hotel here, disclosing weekly bills ranging from \$200 to \$1,000.

That last item surprised the court of yesterday partly for the sake of its novelty, partly for the friends and enemies gathered before and after the Damson. The fight in Boston Field

City Tribune

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SES AL CAPONE